

## ROANOKE CITY COUNCIL REGULAR SESSION

## SEPTEMBER 16, 2002 2:00 P.M.

## CITY COUNCIL CHAMBER

## AGENDA FOR THE COUNCIL

## 1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Pamela P. Crump, Pastoral Assistant for Christian Education, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

## **NOTICE:**

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 19, 2002, at 7:00 p.m., and Saturday, September 21, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT <u>WWW.ROANOKEGOV.COM</u>, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

## PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring the week of September 15 - 21, 2002, as National Rehabilitation Awareness Week.

#### **CONSENT AGENDA** 3.

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of special meetings of City Council held on Friday, July 26, 2002 and Tuesday, July 30, 2002; the regular meeting of City Council P. 19; held on Monday, August 5, 2002; and a meeting of the Roanoke City Council P. 21; Personnel Committee on Thursday, August 8, 2002.

P. 13:

P. 67

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P. 70

RECOMMENDED ACTION: Concur in the request.

Qualification of the following persons: C-3

> M. Rupert Cutler as a member of the Roanoke Valley-Alleghany Regional Commission, for a term ending June 30, 2005;

F. B. Webster Day as a Trustee of the Roanoke City School Board, to fill the unexpired term of Sherman P. Lea, resigned, ending June 30, 2003; and William H. Lindsey as a Trustee of the Roanoke City School Board, to fill the unexpired term of William E. Skeen, resigned, ending June 30, 2005;

Abbi Fitzpatrick as a member of the Youth Services Citizen Board, for a term ending May 31, 2005;

Christie L. Meredith and Beverly T. Fitzpatrick, Jr., as Commissioners of the Roanoke Redevelopment and Housing Authority, for terms ending August 31, 2006; and

Margaret C. Thompson as a member of the Human Services Committee, for a term ending June 30, 2003.

RECOMMENDED ACTION: Receive and file.

## **REGULAR AGENDA**

## 4. PUBLIC HEARINGS: NONE.

## 5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member William D. Bestpitch with regard to a new project sponsored by The Sorensen Institute for Political Leadership and the Virginia Ethics Forum promoting development of Codes of Conduct in Congressional races across the Commonwealth of Virginia.
- b. Request of the Virginia Museum of Transportation to address Council with regard to an update on the TransDominion Express. Katherine F. Strickland, Executive Director, Spokesperson.

Request of the Roanoke Education Association to address Council with P. 78 c. regard to under funding of public education by the Commonwealth of Virginia. Anita J. Price, President, Spokesperson.

## **REPORTS OF OFFICERS:**

CITY MANAGER: a.

BRIEFINGS: NONE.

#### ITEMS RECOMMENDED FOR ACTION:

A communication with regard to expansion of the Rehabilitation | P. 80 1. District.

- A communication recommending an amendment to the Code of the City of Roanoke (1979), as amended, to add a new section entitled, Technology Zone.
  - P. 84; O. 90
- A communication recommending donation of a City-owned 1995 3. P. 97; Chevrolet Caprice to Roanoke Emergency Medical Services, Inc. R. 99
- A communication recommending acceptance of a One Time 4. Special Request Fund for Law Enforcement Agencies grant from the Commonwealth of Virginia Department of Criminal Justice Services, in the amount of \$5,000.00; and appropriation of funds in connection therewith.

P. 100; B/O 102: R. 103

5. A communication recommending acceptance of the bid submitted by Old Dominion Brush Co., to furnish 12 trailer mounted vacuum leaf collector units, in the amount of \$176,784.00, rejecting all other bids received by the City; and transfer of funds in connection therewith.

P. 104; B/O 107: R. 109

- 6. A communication recommending acceptance of the bid submitted by Lanford Brothers Co., Inc., for repairs to two City bridges, 9th Street over Norfolk Southern Railway and 5th Street over Norfolk Southern Railway, in the amount of \$116,630.00, and rejecting all other bids received by the City.
- 7. A communication recommending the use of competitive negotiation as the method to secure vendors to operate the Rocwood Indoor Adventure Center located within the Parks and Recreation Administrative Building, 210 Reserve Avenue, S. W.

P. 110;

O. 113

P. 122;

R. 130

P. 132;

B/O 135

B/O 129;

- 8. A communication recommending execution of a Performance P. 119; Contract with Blue Ridge Behavioral Healthcare for fiscal year 2003.
- 9. A communication recommending execution of an agreement with the Western Virginia Foundation for the Arts and Sciences with regard to development of the Roanoke Passenger Rail Station for use by the Roanoke Valley Convention and Visitors Bureau and the O. Winston Link Museum; and appropriation of funds in connection therewith.
- A communication recommending appropriation of funds in connection with the Fifth District Employment and Training Consortium - Workforce Investment Act and Community Development Block Grant Employment Training Program.

11. A joint communication from the City Manager and the Director P. 137; of Finance with regard to issuance of up to \$22 million in R. 139 refunding bonds by Davenport and Company, L.L.C.

## 7. REPORTS OF COMMITTEES:

a. A communication from the Roanoke City School Board requesting appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent for Operations, Spokesperson.

P. 152; B/O 156

#### 8. UNFINISHED BUSINESS: NONE.

## 9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

### 10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

## 11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

## 12. CITY MANAGER COMMENTS:

THE COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL 5:00 P.M., FOR A JOINT MEETING OF CITY COUNCIL AND THE ROANOKE CITY SCHOOL BOARD, IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



## CITY COUNCIL/ROANOKE CITY SCHOOL BOARD JOINT MEETING

## SEPTEMBER 16, 2002 5:00 P.M.

## EMERGENCY OPERATIONS CENTER CONFERENCE ROOM

### **AGENDA**

- 1. Call to Order.
- 2. Roll Call by the Roanoke City School Board.
- 3. Welcome. Mayor Ralph K. Smith.
- 4. Invocation/Dinner.
- 5. Progress and work to be done by Roanoke City Schools. Dr. E. Wayne Harris, Superintendent.
- 6. Coordination with regard to planning for parks and greenways/using schools for fitness centers.
- 7. Per cent for the Arts Program.

- 8. Neighborhood schools.
- 9. Co-use of and opportunities for school facilities.
- 10. Support for teachers.
- 11. Compliance with personnel policies and procedures.
- 12. Remarks by City Council Members and the City Manager.
- 13. Remarks by School Board Trustees and the Superintendent of Schools.
- 14. Other Business.

THE CITY COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



## ROANOKE CITY COUNCIL REGULAR SESSION

SEPTEMBER 16, 2002 7:00 P.M.

## CITY COUNCIL CHAMBER

## AGENDA FOR THE COUNCIL

## Call to Order -- Roll Call.

The Invocation will be delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Smith.

Welcome. Mayor Smith.

## **NOTICE**:

Tonight's meeting will be televised by RVTV Channel 3 to be replayed on Thursday, September 19, 2002, at 7:00 p.m., and Saturday, September 21, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## A. PUBLIC HEARINGS:

1. Public hearing to consider a proposal to adjust the aggregate amount of the City of Roanoke annual budget, in connection with appropriation of funds for its Capital Maintenance and Equipment Replacement Program (CMERP). Darlene L. Burcham, City Manager.

P. 159; B/O 166; P. 170; B/O 176

## **B.** HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

1. Request to present information on specific benefits on park bonds for southwest Virginia. Joseph H. Maroon, Director, Department of Conservation and Recreation, Spokesperson.

P. 179; R. 180; R. 182

THE MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED ON WEDNESDAY, SEPTEMBER 18, 2002, AT 7:00 P.M., AT THE HOTEL ROANOKE CONFERENCE CENTER, FOR A DINNER MEETING WITH IAN LOCKWOOD, SENIOR TRANSPORTATION ENGINEER, GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART, INC.

# MOTION AND CERTIFICATION WITH RESPECT TO CLOSED MEETING

#### FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

#### PLEASE NOTE:

- 1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
- 2. Roll call vote included in Council's minutes is required.
- 3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state <u>prior to the vote</u> the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.

#### SPECIAL SESSION-----ROANOKE CITY COUNCIL

July 26, 2002

#### 12:00 noon

A special meeting of Roanoke City Council was called to order on Friday, July 26, 2002, at 12:00 noon for a meeting of the Roanoke Valley Leadership Summit, which meeting was held at the Vinton War Memorial, 814 E. Washington Avenue, Vinton, Virginia. The meeting was hosted by the Town of Vinton.

ROANOKE CITY COUNCIL MEMBERS PRESENT: Council Members William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., Linda F. Wyatt and Mayor Ralph K. Smith------5.

ABSENT: Council Members William D. Bestpitch and C. Nelson Harris-----2.

OTHERS PRESENT: Darlene L. Burcham, City Manager, City of Roanoke; Stephanie M. Moon, Deputy City Clerk, City of Roanoke; and representatives from various surrounding localities.

The meeting was called to order by the Honorable Don Davis, Mayor, Town of Vinton.

Following lunch, the business meeting convened at 12:35 p.m., with Mayor Davis welcoming everyone in attendance.

VINTON COMMUNITY INFORMATION: A video was presented highlighting activities and accomplishments of the Town of Vinton and the Roanoke Valley.

REGIONAL ECONOMIC STRATEGY REPORT: Dr. Victor lannello, Vice Chair, Fifth Planning District Regional Alliance, presented a video highlighting the following Regional Economic Strategy:

#### A Call to Action

Population Growth: below State and U. S. averages.

**Employment:** 

- Total Growth: below State and U. S. averages
- Manufacturing: greater declines than State and U. S.

Educational Attainment: below State and U. S. averages.

Per Capita Income: below State and U. S. averages.

#### **Goals for Strategy**

Establish common guiding principles for organizations and jurisdictions in the region.

Identify critical assets and needs of our region for economic prosperity. Build consensus on key regional priorities.

Provide a "song sheet" of agreed-upon actions for organizations and governments.

#### **Approach**

**Engage services of Economic Development experts:** 

- Eva Klein and Associates
- Center for Regional Economic Competitiveness

Build on prior studies, existing plans, and ongoing activities.

Interview leaders in business, government, education, and community. Convene Planning Leadership Group to:

- develop strategies and tactics
- prioritize
- build consensus

Prepare Regional Economic Strategy.

#### **Vision Statement**

We will elevate regional prosperity by creating new patterns of growth through a strategic transformation that cultivates:

- global visibility
- new and maturing knowledge-based enterprises
- competitive industry clusters
- higher-skilled people
- quality of life and environment

#### Visibility

Challenge: The region's economic growth is impeded by size, self-image, and lack of identity.

Strategy: Achieve national and international visibility for the region — to compete successfully for advanced technology growth.

Goal: Establish the region as a competitive, desirable location for living, visiting, and doing business.

#### Tactics:

- create a coalition of existing marketing organizations to develop mutual opportunities to increase visibility for the region.
- develop an image for the region with a single brand identity.
- increase population ranking of region by pursuing an enlarged Metropolitan Statistical Area (MSA).

#### **Connectivity**

Challenge: Geographic isolation increases costs of doing business in a global economy. Lack of connections between activity centers within the region makes it difficult to create a sense of region and critical mass.

Strategy: Reduce perceived or real distance — both within the region, between the region, and the outside world.

Goal: Improve the availability and reduce the cost of intra-regional and inter-regional transportation.

#### Tactics:

- develop a broader regional process for addressing long-term transportation issues and prioritizing regional needs.
- accelerate improvements to broadband/multi-media access throughout the region.
- reduce cost of air service to Roanoke by attracting a low-fare carrier through a subsidy pool.
- make passenger rail service a reality.

#### **Quality of Life Amenities**

Challenge: Lack of lifestyle amenities for knowledge workers.

Strategy: Attract/retain knowledge-oriented enterprises and people, using existing natural assets and quality of life in marketing, while developing additional amenities that appeal to these people and enterprises.

Goal: Develop, package, and promote lifestyle amenities for knowledge workers while preserving environment and quality of life.

#### Tactics:

- package and promote outdoor and cultural amenities for knowledge workers.
- consider lifestyles and amenity needs of knowledge workers in community planning and development.

#### **Knowledge Work Force**

Challenge: Collective skills/knowledge of the local work force needs to increase, for local companies to compete globally and to attract new companies.

Strategy: Elevate the knowledge work force at all levels by improving skills and knowledge of individual workers, improving responsiveness to companies, and recruiting knowledge workers from outside region. Goal: Build knowledge work force capacity through focused training, retraining, and attraction of new skilled workers.

#### Tactics:

- create a campaign that targets the region's natives and college alumni and connects them to job opportunities.
- establish permanent vehicles for K 12/business interaction.
- create a regional Higher Education Consortium to continually identify business needs, better integrate regional resources, and promote higher education assets.
- create an easily accessible information base of higher education resources in the region.
- develop an advocacy strategy, focusing on funding for higher education, especially workforce programs in community colleges.

#### **Innovation and Entrepreneurship**

Challenge: Creation and growth of knowledge businesses must be accelerated to increase the quantity of high paying jobs in the region. Strategy: Strengthen the region's "soft infrastructure" that supports innovation and entrepreneurship.

Goal: Stimulate creation and growth of knowledge businesses by increasing availability of capital, innovation, intellectual property, and entrepreneurial talent.

#### Tactics:

- create a regional venture capital fund of adequate size and stature to be a force in attracting and retaining growing businesses to the region.
- organize an advocacy strategy for Virginia Tech and the region to achieve its research goals.
- mobilize the technology community to work with Virginia Tech to evaluate and strengthen all aspects of its intellectual property and technology transfer activities.
- market this region to experienced entrepreneurs and connect them to the region's entrepreneur network.

#### **Economic Transformation**

Challenge: Regional prosperity depends on the number of high paying jobs in the region and a diverse economy.

Strategy: Diversify the regional economy by emphasizing the cultivation of technology-driven companies.

Goal: Identify industry clusters and develop ways to cultivate them. Tactics:

- update the 1999 cluster study to identify opportunities for cluster development.
- encourage local governments to use the Virginia's First Regional Industrial Facilities Authority to share costs, revenues, and risk in developing business sites.
- create industry cluster associations to identify and implement opportunities for growth.
- update tourism/convention marketing strategy to take advantage of knowledge assets, village centers, and recreational assets.

#### **Next Steps**

Communicate the Regional Economic Strategy throughout the region. Get endorsements from local jurisdictions and organizations.

Manage implementation of tactics.

Facilitate regional alliances for new initiatives.

Identify and monitor critical benchmarks of progress.

Mayor Davis expressed appreciation to Mr. lannello for the presentation.

ROANOKE REGIONAL AIRPORT ALLIANCE: Mayor Smith expressed appreciation to the Town of Vinton for hosting the Leadership Summit Luncheon; and stated that the \$2 million grant to improve air service at the Roanoke Regional Airport was not awarded by the Federal Government. He called attention to his remarks at the last Summit Luncheon with regard to the importance of a Roanoke Regional Airport Alliance, and advised that Mr. Barry Duvall had been retained to coordinate efforts of the Roanoke Regional Airport Alliance.

REGIONAL WATER SUPPLY STUDY: Wayne G. Strickland, Executive Director, Roanoke Valley Alleghany Regional Commission, advised that a contract has been awarded to Black and Veatch Corp., to develop a long-range water supply system study for the region, in the amount of \$100,000.00; partnering with Dewberry and Davis, the Corporation will examine the area's residential, business and institutional water needs to determine if existing and planned resources are adequate to meet demand through 2050; and the study is expected to take six months for completion.

He further advised that the Alliance is funding half of the cost and the remaining portion will be funded on a per capita basis by the following seven participating localities: the Counties of Bedford, Botetourt, Franklin, and Roanoke; Roanoke City; City of Salem; and the Town of Vinton; and he extended an invitation to the localities to attend a news conference on Monday, July 29, 2002, at 10:30 a.m., at the Roanoke Regional Commission Office, 313 Luck Avenue, S. W., to introduce the engineering firm.

Mr. Strickland expressed appreciation to the local governing bodies for their participation and support.

#### OTHER BUSINESS OR COMMENTS:

Mr. Strickland advised that the next meeting of the Mayors and Chairs of the Leadership Summit will be hosted by Alleghany County on August 16, 2002.

On behalf of the City of Covington, Mayor Temple Kessinger, Jr., extended an invitation to host the next Leadership Summit Luncheon in October 2002.

Council Member Dowe encouraged the localities present to support the Roanoke Dazzle Basketball Team.

Council Member Wyatt suggested that the state legislators be invited to attend the next Leadership Summit meeting; whereupon, Mr. Strickland agreed to contact them to extend an invitation.

There being no further business, the luncheon meeting was adjourned at 1:35 p.m.

Deputy City Clerk		Mayor
ATTEST:		
	APPROVED	

#### SPECIAL SESSION-----ROANOKE CITY COUNCIL

July 30, 2002

10:00 a.m.

A special meeting of the Council of the City of Roanoke was called to order on Tuesday, July 30, 2002, at 10:00 a.m., to tour the Crystal Spring Pumping Station located at the corner of McClanahan Avenue and South Jefferson Street, in the City of Roanoke.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----5.

ABSENT: Council Member Alfred T. Dowe and C. Nelson Harris-----2.

STAFF PRESENT: Darlene L. Burcham, City Manager; Willard N. Claytor, Director, Real Estate Valuation; Chris L. Slone, Director, Communications; Michael Mcevoy, Director, Utilities; Jesse Perdue, Manager, Water Department; and Stephanie M. Moon, Deputy City Clerk.

WATER DEPARTMENT: The City Manager expressed appreciation to Michael Envoy, Director of Utilities, and Jesse Perdue, Manager of the Water Department, who had diligently worked to return the Crystal Spring Pumping Station to service. She stated that completion of the filtration system was approximately two months ahead of schedule, and called upon Mr. Mcevoy to brief Council on the \$5 million permanent upgrade of the facility.

It was advised that the filtration system would be fully installed by August 5, 2002, and would provide an additional 3.5 million to 4 million gallons of clean water per day, reducing the amount of water that is pumped from the Carvins Cove Reservoir. It was further advised that two of the four installed filters were pumping about a million gallons of water into the City's water supply; and the other two filters, along with three additional filters would be installed during the month of August, and go online soon thereafter.

In closing, it was stated that the City would have the option once Crystal Spring is fully operational in October 2002 to consider reducing the amount of water purchased from surrounding localities or reducing the water restrictions to residents.

There being no further business, the Mayor declared the Special Meeting adjourned at 10:30 a.m.

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ATTEST:

Stephanie M. Moon Deputy City Clerk

Ralph K. Smith Mayor

#### REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

#### August 5, 2002

#### 12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, August 5, 2002 at 12:15 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----5.

ABSENT: Council Members Alfred T. Dowe, Jr. and C. Nelson Harris-----2.

OFFICERS PRESENT: William M. Hackworth, City Attorney; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting a Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt and Mayor S	Smith5
NAYS: None	0

(Council Members Dowe and Harris were absent.)

At 12:18 p.m., the Mayor declared the meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, to conduct briefings with regard to curb, gutter and sidewalk, and year end capital maintenance and equipment replacement projects.

At 12:20 p.m., the City Council meeting reconvened in Room 159, with all Members of the Council in attendance.

Also present were Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

BUDGET-CMERP-TAXES: The Director of Finance introduced a briefing on the Capital Maintenance and Equipment Replacement Program (CMERP).

Mr. Hall advised that CMERP is not unique to the City of Roanoke and it is a fairly common practice for localities to designate fund balances at the end of the fiscal year for one time projects, rather than build an expectation into the next years' budget that there will be money left over to build into operations.

He advised that CMERP is determined annually as General Fund balance, less the amounts reserved for encumbrances, which carry forward into the next fiscal year, and \$250,000.00 is reserved for uninsured claims to be transferred in the next fiscal year to the Risk Management Fund; and CMERP is created when revenues out perform estimates and/or there are unspent appropriations at the end of the year. He explained that CMERP is shared with the School Board using the same formula used to share local taxes in the budget process; the School Fund also generates CMERP to the extent that school revenues out perform budget and/or expenditures are less than appropriation amounts; and appropriation by Council is required for utilization of CMERP funds.

For the year ended June 30, 2002, the Director of Finance presented the following unaudited General Fund CMERP figures:

Revenues in Excess of Budgeted Amounts	\$ 936,866.00
Unobligated Appropriations	3,265,813.00
Less: Reserve for Uninsured Claims	(250,000.00)
General Fund CMERP	3,952,679.00
School Allocation	(723,530.00)
City Allocation	3,229,149.00

For the year ended June 30, 2002, he presented the following unaudited School Fund CMERP figures:

Revenues in Excess of (Less Than) budget amounts	(\$1,263,071.00)
Unobligated Appropriations	3,047,516.00
Less: Increase in Workers' Comp. Trust Fund	(5,437.00)
School Fund Totals	1,779,008.00
City Allocation of CMERP	723,530.00
Total School CMERP	\$ 2,502,538.00

The following revenue recognition methods were reviewed:

Cash Basis - Revenues are recognized only to the extent of receipt of cash.

Full Accrual - Revenues are recorded to the extent they are earned by the end of the fiscal year. An allowance for doubtful accounts is established to the extent any amounts are deemed uncollectible.

Modified Accrual - Revenues are recorded to the extent they are earned by the end of the fiscal year and that collection is made within the period of availability as defined by the local government. Period of availability is often 60 days, although governments may use discretion in establishing a period of availability for revenue recognition criteria.

The following change in revenue recognition criteria was reviewed:

In fiscal year 2002, the City is changing its period of availability under modified accrual accounting to now recognize revenues related to taxes receivable at June 30 and received within 60 days of year end.

Most Virginia localities already record revenues using this methodology. Roanoke is implementing this in fiscal year 2002 concurrent with implementation of GASB 34.

Prior to this, the City accrued utility, prepared food taxes and some sales tax, but did not accrue sales taxes and certain other revenues to the extent allowable and widely practiced.

Impact is an additional \$2.7 million in fund balance (CMERP) for the year ended June 30, 2002.

Financial statements of the City will be restated to reflect this implementation as of July 1, 2001.

Information was provided setting forth the following additional revenue accruals in fiscal year 2002:

Revenue Name	Additional Amount Accrued in FY02	Basis for Accrual as FY 2002 Revenue and Accounts Receivable
Real Estate	\$295,000.00	Anticipated collections, net of refunds, in July-Aug related to year end receivables.
Personal Property	632,000.00	Anticipated collections, net of refunds, in July-Aug related to year end receivables.
BPOL	129,150.00	Anticipated collections, net of refunds, in July-Aug. Related to year end receivables.
Sales Tax	1,400,000.00	Estimate of sales tax to be received mid Aug. relative to tax on June 2002 retail sales.
Water Utility Tax	72,875.00	Estimate of taxes due on water utility billings related to water services provided through June 30, but not yet billed.
Cable TV Tax	250,000.00	Anticipated collections on tax for quarter ended June 30.
Recordation Tax	75,000.00	Anticipated collections on tax for quarter ended June 30.

ABC/Wine Tax

70,000.00

Anticipated collections on tax for quarter ended June 30.

\$2,924,025.00

Mr. Hall advised that CMERP resulting from the change in revenue recognition is as follows:

<u>Type</u>	Additional Accrual	<u>City</u> Portion	School Portion*	
Local Taxes (Fully Shared with Schools at 36.42 per cent)	\$2,529,025.00	\$1,607,954.00	\$921,071.00	
Cable TV Tax (20 Per Cent Dedicated to Local Govt.				
Access Channel)	250,000.00	177,160.00	72,840.00	
Grants in Aid Commonwealth	145,000.00	145,000.00		
Expenditure Accrual	(176,674.00)	(176,674.00)	-	
Total	\$2,747,351.00	\$1,753,440.00	\$993,911.00	

<sup>\*</sup>The School Fund will also derive additional CMERP from sales tax accrual in the School Fund of \$750,000.00.

It was advised that total fiscal year 2002 CMERP is as follows:

	<b>General Fund</b>	School Fund		
Annual CMERP Computation	\$3,229,149.00	\$ 2,502,538.00		
Additional CMERP	1,753,440.00	1,743,911.00		
Total FY02 CMERP	4,982,589.00	4,246,449.00		

The City Manager pointed out that it is fairly unique that the operating budget is scaled back to include few, if any, one time projects so that the City waits until the end of the fiscal year, looking to the CMEP fund balance, before decisions are made regarding reimbursement items; and the previous Council suggested that City staff begin to look at changing the balance. She explained that if the City waits until the end of one fiscal year and an audit to determine available monies, the City is almost 18 months behind in the purchase of some items. She stated that if the financial condition improves in the future, the City should begin to balance in and have some portion of its one time capital needs included in the operating budget while also having a certain amount of funds that come from the CMERP balance. She noted that it is unusual for a community to wait for all of its one time needs until the end of the fiscal year.

The City Manager advised that staff is not prepared today to make a recommendation on expenditure of CMERP funds, which recommendation will most likely be submitted to Council in early September. She called attention to approximately \$14 million in CMERP requests which will be prioritized by staff with a recommendation to Council.

Given the fact that the City continues to hear that there will be financial impacts from the State, and the City could end up with certain operational shortfalls in the current fiscal year, as well as serious challenges in fiscal year 2004, Mr. Bestpitch stated that it would be prudent for Council to consider a reserve operating fund for the one time \$1.75 million CMERP windfall in view of anticipated budget uncertainties. He further stated that it is a question that Council needs to seriously consider.

Mr. Carder advised that Council has sent a message that the way the City addresses CMERP should be changed. He stated that Mr. Bestpitch's comment holds merit, but he would like to see more details in terms of the \$14 million in CMERP requests.

Mr. Dowe concurred in Mr. Carder's remarks; however, he stated that he did not disagree with Mr. Bestpitch's suggestion. He advised that in lieu of what is happening from an accounting standpoint in the private sector and in view of the comingling of capital and operational needs at any level, the City of Roanoke should proceed carefully and cautiously.

The City Manager explained that part of the difficulty is in the terminology used by the City, because it is not "capital" in the truest sense of the word, but operational items that are in the form of capital expenditures dealing with vehicles, small buildings, etc., therefore, the word "capital" in the CMERP definition should be referred to as "equipment replacement and vehicular replacement". She advised that the real issue is getting the City to the point where it has an operating budget that has some reasonable expectation that certain routine things will happen: for example, if vehicular fleet is placed on some type of replacement schedule with the understanding that certain types of vehicles should be replaced every x number of years, or every x number of miles, that philosophy has been built into the budget. She explained that the City is building to that point, but it will take another four years at the present level to reach the point in the operating budget on a permanent basis that there is the expectation that a certain amount of equipment is paid for each year. She noted that the City has used mass purchase on its technology needs but not in other areas. She explained that it also means taking fairly conservative revenue estimates, bumping those estimates up so that there is a capacity within the operating budget to begin funding those types of items, and to not rely on deliberate underexpenditures for certain purchases. She noted that fiscal year 2003 was not the budget year to take such measures given what has happened with regard to the loss of State revenues. She stated that staff would like to be able to count on a certain amount of funds within the operating budget for those kinds of purchases; in analyzing the numbers, less than \$1 million this year was due to over performance of revenue, and the bulk of CMERP for this year can be accredited to City staff placing the "skids" on departmental expenditures.

Council Member Carder advised that with \$14 million in CMERP needs, the City should have a schedule for replacement of vehicles, and monies could be accrued which could also serve as a "rainy day" fund in the event of an emergency. He stated that with a valid capital replacement plan, the City would know where it will be in five, six, seven and ten years, as opposed to the current status which is somewhat reactive as to how expenditures and revenues come in for the previous year.

The Mayor inquired as to whether the City routinely has money left over at the end of the fiscal year for CMERP funds; whereupon, the Director of Finance advised that the City has consistently had money left over at year end, and throughout the year, the Budget Department and the Finance Department monitor the expenditure side of the budget to ensure that there is not a deficit. He advised that hopefully, some money will be left over at year end, although the amount is uncertain until the end of the fiscal year.

Council Member Harris advised that if Council increases the budget by \$1 million on the expenditure side and \$1 million on the revenue side to create an additional \$2 million for equipment replacement, Council should ask itself if, over the long term, it has the political discipline to ensure that that amount of money will actually remain in the budget for equipment replacement. He stated that as Council receives pressure from various community groups, organizations, etc., on funding requests, one of the first things to be edged out, incrementally, is equipment replacement which shifts over to the end of the year CMERP, thus three to four years in the future, Council could find itself in a position where no additional money has been dedicated to equipment replacement and there is a smaller CMERP fund, which is a step backward.

There was discussion in regard to the City's bond rating, increasing the City's population and bringing higher per capita income residents into the City of Roanoke.

Following the briefing, the Mayor advised that without objection by Council, the briefing would be received and filed.

SIDEWALK, CURB AND GUTTER-BUDGET-CMERP: The City Manager introduced a briefing on funds that were previously approved by Council in the Capital Improvements Program, which is the \$5 million that is to be generated by the additional tax on tobacco. She advised that staff will present a four year spending plan dedicated to curb, gutter and sidewalk which is a good balance between new construction, replacement items and special projects.

Robert K. Bengtson, Director of Public Works, advised that there are several areas of need, i.e. maintenance and repair of existing facilities which is not typical patch work and repairs, but pertains to larger projects where replacement of one or two blocks of curb and sidewalk will make a difference to the entire street; new construction of curb and sidewalk which is divided into two areas, i.e.: citizen requests which continue to grow and neighborhood plans encompassing a wider group within a neighborhood that will identify a broader area of need for new sidewalk and curbs; and special projects which are projects that do not fit into any of the above categories. He advised that all of the above referenced needs total \$20 million in identified needs; however, available funding totals \$5 million as a result of the increase in the tobacco tax of ten cents, which will provide funding for the debt service for the \$5 million of bonds that were sold in early 2002.

Examples were presented of areas in need of maintenance and repair on 14<sup>th</sup> Street, Avon Road, and 9<sup>th</sup> Street, and examples of new construction on Princeton Circle, Carter Road, and 5<sup>th</sup> Street.

Mr. Bengtson advised that effective January 1, 2002, all new development plans submitted for new subdivisions or developments will require curb and sidewalk within the public right-of-way; whereupon, the Mayor inquired as to how much of a handicap the requirement will create when seeking new affordable housing. The City Manager responded that if curb and sidewalk are not installed at the time of development, that specific address will show up on a future "wish list", which is the reason that the City has a \$20 million problem today. She stated that whatever amount, dollarwise, is contributed by the developer, the less the City will have to fund in the future. She noted that the City has more than enough affordable/low income housing at the present time and should encourage more upper end housing.

It was clarified that sidewalk is not a goal for every street; whereupon, the City Manager advised that there are some neighborhoods that do not want sidewalks, in which case sidewalks will not be required, but there is a need for curb and gutter.

Council Member Wyatt inquired if developers will be required to address water run off; whereupon, Mr. Bengtson advised that drainage is a serious consideration, and many requests received by the City require the installation of a drainage system in conjuction with curb and gutter to address water run off.

Of the \$20 million in needs, Council Member Dowe inquired as to how many sidewalks are near schools where usage is high; whereupon, Mr. Bengtson advised that he would research the question. Mr. Dowe also inquired about the cost of brick sidewalks versus regular sidewalks, and are there other projects that might be considered gateway streets where brick sidewalks should be considered. Mr. Bengtson advised that the cost ratio for a brick sidewalk is in the range of two to three times a normal concrete sidewalk.

Council Member Cutler inquired if administration of flood water management is fragmented among several City departments and whether the City Manager is satisfied with the current structure for flood water management. The City Manager responded that she is not totally satisfied with the current structure, nor is City staff, and the topic is becoming a whole new area of responsibility as this part of the Commonwealth comes under compliance with the storm water management program. She called attention to regional discussions on the issue which will now become the responsibility of the City of Roanoke as the flood reduction project goes forth to assume ongoing maintenance responsibilities, and while this responsibility will cost the City money, she is pleased that it will occur because it means that some entity will take responsibility for maintenance and for other kinds of things that need to happen.

Council Member Carder referred to special sidewalk, curb and gutter projects, and inquired as to where the money came from in the past to fund such projects; whereupon, the City Manager advised that funds came off the top of whatever money the City had appropriated which meant that sometimes a project that had been listed as a high priority was eliminated in order to complete another project. She explained that out of the annual projected spending of \$1.25 million, only \$150,000.00 is targeted for special projects, therefore, the lion's share of funds will go to the neighborhoods.

With regard to installation of sidewalk, specifically in those instances where a developer is constructing a new house in a neighborhood where houses currently exist on both sides of the street, but have no sidewalk, Mr. Bestpitch inquired if there is a way to install sidewalk throughout the entire block, while requiring the developer of the new house to pay only a portion of the overall cost that pertains to his/her new construction.

Mr. Bengtson advised that special projects include the 100 block of Kirk Avenue, Salem Avenue and Jefferson Street to 5<sup>th</sup> Street, including the new Roanoke Times Building, Bullitt/Jamison project, Hershberger Road at Valley View and Frontage Road at WDBJ. He advised that a total of \$5 million is available, annual spending is \$1,250,000.00 to be expended as follows: \$200,000.00 for maintenance and repair, \$900,000.00 for new construction (\$450,000.00 citizen requests and \$450,000.00 high impact neighborhood projects), and \$150,000.00 for special projects.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

At 1:55 p.m., the Mayor declared the meeting in recess to be reconvened at 2:00 p.m., in the City Council Chamber.

On Monday, August 5, 2002, at 2:00 p.m., the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT:	Council	Members	William	D. Be	stpitch,	William	H. (	Carder,
M. Rupert Cutler,	Alfred T.	Dowe, Jr.,	C. Nelso	n Harri	is, Linda	F. Wyatt	and	Mayor
Ralph K. Smith								7.
ABSENT: N	one							0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Diane Scribner-Clevenger, Pastor, Unity Church of Roanoke Valley.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

#### PRESENTATIONS AND ACKNOWLEDGEMENTS:

DECEASED PERSONS: Mr. Bestpitch offered the following resolution memorializing the late S. Elaina Loritts, who passed away on July 14, 2002.

(#35999-080502) A RESOLUTION memorializing the late Sylvian Elaina Loritts, a citizen of Roanoke since 1977.

(For full text of Resolution, see Resolution Book No. 66, page 296.)

Mr. Bestpitch moved the adoption of Resolution No. 35999-080502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

ACTS OF ACKNOWLEDGEMENT: The Mayor recognized the following 2002 participants in the City of Roanoke Internship Program:

Mary Cook-Moore, a 2002 graduate of National Business College, who interned in the Department of Billings and Collections.

Shayla Evans, a rising senior at Virginia State University, who interned in the Department of Planning, Building and Development.

Jesse Hobson, a 2002 graduate of Roanoke College, who interned in the Fleet Management Department.

Jessica Kleinhans, a rising senior at Radford University, who interned in the Department of Finance.

Patrice Lewis, a rising senior at the University of Virginia, who interned in the Office of Clerk of Circuit Court.

Konaka Robinson, a 2002 graduate of the University of Virginia, who interned in the Department of Social Services.

Sarah Ross, a rising senior at Radford University, who interned in the Circulation Department at the Main Library.

Donald Smith, a rising senior at Virginia Tech, who interned at the Waste Water Treatment Plant.

David Steidle, a third year law student at Appalachian School of Law, who interned in the City Attorney's Office.

James Toliver, a rising senior at Virginia State University, who interned at the Roanoke Civic Center.

Andre Via, a rising senior at the University of Virginia, who interned in the Department of Real Estate Valuation.

DECEASED PERSONS: The Members of Council expressed sympathy upon the passing of former Mayor James E. Taliaferro, City of Salem, who passed away on August 3, 2002.

#### **CONSENT AGENDA**

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meeting of City Council held on Monday, June 17, 2002, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Carder moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

SEWERS AND STORM DRAINS-EASEMENTS: A communication from the City Manager advising that pursuant to provisions of the Code of Virginia (1950), as amended, Council is required to hold a public hearing on the proposed vacation of property rights; whereupon, she requested that a public hearing be advertised for Monday, August 19, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation and dedication of a sanitary sewer easement at 3138 Gum Spring Street, S. E., was before the body.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

CITY PROPERTY-TELEPHONE COMPANIES-LEASES: A communication from the City Manager advising that Cellco Partnership, a Delaware general partnership, d/b/a/ Verizon Wireless, with its principal office at 180 Washington Valley Road, Bedminister, New Jersey, has requested to lease a portion of the Washington Heights Water Tank and ground site, which is located in the 4100 block of Wyoming Avenue, Official Tax No. 2770406, to install directional antennas, connecting cables and appurtenances, was before Council.

It was further advised that to lease the property, a new lease agreement is required in conjunction with a public hearing; terms and conditions of the lease are in accordance with the City of Roanoke policy regarding Wireless Telecommunication Facilities located on City property dated January 21, 1997; and proposed term of the lease will be four years and eleven months, commencing on September 1, 2002 and expiring on July 31, 2007, which lease may be renewed for up to two five year terms, upon mutual agreement by the parties.

The City Manager recommended that Council authorize the scheduling of a public hearing to consider entering into a new lease agreement between the City ofRoanoke and Cellco Partnership, a Delaware general partnership, d/b/a/ Verizon Wireless.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

EASEMENTS-WATER RESOURCES: A communication from the City Manager advising that the City of Roanoke Water Division has been contacted by a developer, John Griffin, regarding Kingston Estates, a new subdivision to be constructed in Roanoke County; and the main water distribution line from the Falling Creek Filtration Plant runs through the property proposed for development, which water line has existed in this location for approximately 100 years, was before Council.

It was further advised that the City has requested the contractor to locate the water line in a new easement outside the lots in a dedicated water line easement; the new line and the new easement will be in place before the existing easement is vacated; and the contractor has requested the City to quitclaim its easement through the roadways which the Virginia Department of Transportation requires in order to accept the road system for maintenance; whereupon, the City Manager recommended that Council authorize the scheduling of a public hearing to establish a new water line easement and Deed of Quitclaim for the easement through the roadway right-of-way.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

COMMITTEES-SCHOOLS: A communication from William E. Skeen tendering his resignation as a Trustee of the Roanoke City School Board, effective July 24, 2002, was before Council.

Mr. Carder moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

OATHS OF OFFICE-FIRE DEPARTMENT-COMMUNITY PLANNING-PERSONNEL DEPARTMENT-ROANOKE ARTS COMMISSION-HUMAN DEVELOPMENT COMMITTEE-LIBRARIES-FIFTH PLANNING DISTRICT COMMISSION-METROPOLITAN TRANSPORTATION DISTRICT: The following reports of qualification were before Council:

Susan W. Jennings as a member of the Roanoke Arts Commission, for a term ending June 30, 2005;

David K. Lisk as a member of the Roanoke Valley-Alleghany Regional Commission, for a term ending June 30, 2003;

Stanley G. Breakell and Pamela S. White as members of the Roanoke Public Library Board, for terms ending June 30, 2005;

Fredrick M. Williams as a member of the City Planning Commission, to fill the unexpired term of Alfred T. Dowe, Jr., resigned, ending December 31, 2004;

John C. Moody, Jr., as a member of the Board of Fire Appeals, for a term ending June 30, 2006;

Lylburn D. Moore, Jr., as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2005;

Sherman A. Holland as a member of the Roanoke Valley Area Metropolitan Planning Organization, for a term ending June 30, 2005; and

Glenn D. Radcliffe as a member of the Human Services Committee, for a term ending June 30, 2003.

Mr. Carder moved that the reports of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

#### **REGULAR AGENDA**

#### **PUBLIC HEARINGS:**

COMMITTEES-SCHOOLS: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, August 5, 2002, at 2:00 p.m., or as soon thereafter as the matter may be heard, to receive the views of citizens on the appointment of a School Trustee, to fill the unexpired term of Sherman P. Lea, resigned, ending June 30, 2003, the matter was before the body.

Candidates for the position are:

Edna Crabbere
David Dabay
F. B. Webster Day
John W. Elliott, Jr.
William H. Lindsey

Advertisement of the public hearing was published in <u>The Roanoke Times</u> on Friday, July 19, 2002 and in <u>The Roanoke Tribune</u> on Thursday, June 27, 2002.

The Mayor inquired if there were persons present who would like to be heard; whereupon, the following persons appeared before Council.

Mr. Michael Urbanski, 2108 Mount Vernon Road, S. W., endorsed the candidacy of F. B. Webster Day. He stated that Mr. Day previously served on the School Board with distinction and his previous experience will enable him to fill the unexpired term by immediately becoming an effective member of the School Board. He added that careful, deliberate judgment is the hallmark of Mr. Day's character, his decision making style is thoughtful and considerate of all viewpoints, and his experience, skill and knowledge in public finances as a bond attorney will be

important as the School Board considers various issues in the years to come. He stated that Mr. Day's professional and personal integrity is beyond question and he is seeking reappointment to the School Board because he wants to improve the quality of schools and to provide all children with a first class education. He advised that Mr. Day is tolerant and fair, he prefers to work by building consensus rather than stirring up controversy, he is a dedicated professional, a Sunday School teacher, a tee-ball and soccer coach, a member of the Fishburn Park Elementary School Site Based Council, and the parent of three children in the Roanoke City School system. He recommended Mr. Day for appointment to the School Board without reservation.

Mr. Charles W. Day, 1830 Grayson Avenue, N. W., endorsed the candidacy of F. B. Webster Day. He referred to the following interpersonal skills and attributes which are consistent in successful School Board Members; i.e.: interpersonal skills, working cooperatively, accepting criticism, treating all School Board members with respect, managing stress in stressful situations, taking responsibility for actions, honoring individual differences, focusing on important issues, believing in public schools, keeping children first, respecting and guarding the integrity of the governance process, being honest and sincere, maintaining a sense of humor, and valuing and seeking challenges. He stated that he served on the School Board with Webster Day from July 1, 1997 to June 30, 2000, and he was a Board member who was dedicated to the above listed skills and attributes. He noted that as an attorney, Mr. Day brings the legalistic aspect to the work of a good School Board Member, he is a member of numerous professional and civic organizations, and he has three children in the Roanoke City Public School system. He advised that Webster Day was a good School Board Trustee during his previous tenure on the Board and, if appointed to fill the unexpired term of Sherman Lea, his experience will be a valuable addition to the School Board.

Mr. Douglas Waters, 163 Zion Hill Road, Fincastle, Virginia, endorsed the candidacy of John W. Elliott, Jr. He advised that Mr. Elliott is a stellar candidate, he has 30 years of public service in education, municipal government and law enforcement, and during those years he has worked with children who have excelled as well as those who have special needs. He stated that Mr. Elliott has two children in the Roanoke City school system, and he is thoughtful, observant, and practical in his opinions and ideas on a wide range of problems and experiences. He encouraged Council to support the candidacy of Mr. Elliott to the School Board.

Ms. Aida Martinez, 3034 Ashwood Circle, N. E., endorsed the candidacy of John W. Elliott, Jr. She advised that Mr. Elliott is passionate about issues of social justice and diversity, he inspires leadership and citizenship, he is thoughtful and

creative, he is open minded to different perspectives and ensures that the voice of everyone is heard. She stated that Mr. Elliott is current on issues of education, especially in terms of at risk children, he would represent a new voice on the School Board, and his service would be a welcome addition to the School Board.

Mr. Cynthia Ries, 3631 Peakwood Drive, S. W., endorsed the candidacy of F. B. Webster Day. She advised that Mr. Day is a man of great character and qualifications, he is a strong, reassuring and solid presence at Fishburn Park Elementary School, James Madison Middle School and Patrick Henry High School where his children are students, and he is an inspired person who inspires others to do what they can and to stay on course. She called attention to Mr. Day's previous service on the School Board as Vice Chair, and if appointed, he will bring experience, skill and a subtle knowledge of the players without a learning curve, he will be diplomatic, a word smith, a work horse without an ego problem, a consensus builder, and a bond attorney with financial acumen.

Mr. Joe Preseren, 5022 Cave Spring Circle, S. W., endorsed the candidacy of John W. Elliott, Jr. He advised that Mr. Elliott has an excellent professional background of 30 years of public service, and he is a qualified person who has been involved with the types of decisions that School Board Members are required to make. He stated that Mr. Elliott has leadership abilities and will keep in mind the best interests of the students of Roanoke City Schools. He asked that Council closely review the accomplishments of Mr. Elliott to the Roanoke Valley during his two years of residency.

Ms. Linda Calkins, 3484 Overbrook Drive, S. W., endorsed the candidacy of John W. Elliott, Jr. She advised that Mr. Elliott exhibits drive and desire, his intellectual curiosity stimulates other individuals, discipline and balance are key tohis success as a leader and as an educator, he achieves a balance in work, community service, scholarly pursuit, athletic endeavors, family and friends, an attention to detail that has led him to develop and excel in programs and opportunities, and he displays a thirst for knowledge and actively seeks information that will lead not only himself but others to achieve. She stated that he is willing to share his knowledge, he is a teacher and often explains even the most technical aspects in terms that will fit the situation and the audience, he exhibits energy and excitement, his passion and vision arouse excitement in the most placid bystander, and he seeks out and develops resources in the community and offers first rate programs. She called attention to his enthusiasm, attention to detail, the energy and excitement that he exhibits that carries over into the community, his work ethic, and the ever searching knowledge that he exhibits is reflected in the classroom which causes him to be an outstanding role model.

No other persons wishing to be heard, the Mayor advised that all remarks would be received and filed. He stated that Council would vote to fill the vacancy at its next regular meeting on Monday, August 19, 2002 at 2:00 p.m.

The Mayor declared the public hearing closed.

PETITIONS AND COMMUNICATIONS: NONE.

**REPORTS OF OFFICERS:** 

**CITY MANAGER:** 

**BRIEFINGS: NONE.** 

ITEMS RECOMMENDED FOR ACTION:

BUILDINGS/BUILDING DEPARTMENT-CITY MARKET: The City Manager submitted a communication advising that the City currently leases the Market Building at 32 Market Square, to Downtown Associates, LP; the lease agreement will expire on December 31, 2002, and Downtown Associates has officially notified the City that it will not exercise renewal options of the lease agreement and plans to vacate the premises, effective December 31, 2002, as will its management company, F&W Management Corp.; therefor, the City must secure a new management company to operate the facility, effective January 1, 2003.

It was further advised that the City desires the opportunity to consider entering into a contractual agreement with a property management company to manage and operate the Market Building; although the sealed bid method of procurement would normally be used, it is not practicable or fiscally advantageous to the public in procuring the above services; the experience, qualifications, and references of firms that can provide the above listed services are of equal, if not greater, importance than the cost; additional issues, other than price, include maintenance and repair, employee training, customer responsiveness, marketing and accounting procedures; therefore, the process of competitive negotiation using the request for proposal process has been identified as the best method for procurement of such services.

It was explained that the City provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation"; prior approval by Council is necessary before the alternate method may be used, pursuant to Section 23.1-4 (e) of the Code of the City of Roanoke (1979), as amended; and the proposed method will allow for negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure a management company for the Market Building.

Mr. Carder offered the following resolution:

(#36000-080502) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of a property management company for the City Market Building; and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 66, page 298.)

Mr. Carder moved the adoption of Resolution No. 36000-080502. The motion was seconded by Mr. Dowe.

Mr. Cutler called attention to a potential synergy between the Art Museum of Western Virginia, Center in the Square and the City Market Building in regard to a new heating/air conditioning system, and inquired if the new system will be a partof the proposed management contract; whereupon, the City Manager advised that the issue of replacement of the heating/air conditioning system is a priority for the City, but is not a part of the request for proposals for a management firm. She stated that City Engineering staff has been requested to enter into discussions with their counterparts from the two facilities to determine the feasibility of some type of combination system that could serve the different buildings without duplicating the necessary levels of service.

Mr. Bestpitch suggested that the City communicate its support to local independent businesses operating the food vendor operations in the City Market building.

The Mayor spoke in support of merchants currently operating on the City Market, as well as the food court in the City Market building, and stated that the management firm should be an entity with an entrepreneurial spirit that can relate to the market vendors because there is a special ambiance on the City Market that should remain intact.

In clarification, the City Manager spoke in support of present activity on the first floor of the City Market building by local vendors; however, she stated that there is an opportunity for development of the upper floors. She called attention to meetings with food service vendors and correspondence attempting to provide a level of assurance; however, the greatest reassurance will come when a replacement management firm is in place that will interact with market vendors. She advised that City staff realize the value of the City Market building, both tangible and intangible, as well as the Farmers' Market, both of which play key roles to the success of downtown Roanoke and to the community as a whole.

Resolution No. 36000-080502 was adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayo	r Smith7
_	
	NAYS: None0

HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the City of Roanoke wishes to consider entering into a contractual agreement with a service provider for the delivery of Job Readiness training; instruction would be made available for clients required to participate in the Virginia Initiative for Employment Not Welfare (VIEW) and Food Stamp Employment Training (FSET) programs; and proposed training is designed to assist participants with job search efforts, as well as with obtaining and maintaining employment.

It was further advised that although the sealed bid method of procurement could be used, it is not practicable or fiscally advantageous to the public in this instance; the experience, qualifications, and references of firms that can provide the above listed service are of equal, if not greater, importance than the cost; issues of experience, capacity and ability to achieve desired outcomes are of critical importance in determining the best possible provider of the required service; and the procurement of job readiness/employment preparation training must include a means to evaluate the quality of services to be provided in areas such as instructional/training experience, allocation of personnel and financial management; therefore, the process of competitive negotiation using the request for proposal process has been identified as the best method for procurement of such goods and services.

It was explained that the City Code provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation"; prior approval by Council is necessary before the alternate method

may be used, pursuant to Section 23.1-4 (e), Code of the City of Roanoke (1979), as amended, which method will allow for negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure vendors to provide appropriate services as above described.

Mr. Carder offered the following resolution:

(#36001-080502) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of services for the provision of Job Readiness instruction for eligible Department of Social Services clients and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 66, page 299.)

Mr. Carder moved the adoption of Resolution No. 36601-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that Congress has appropriated funds for continuation of the Local Law Enforcement Block Grant (LLEBG) for fiscal year 2002-2003, which will be administered by the Bureau of Justice Assistance and the U. S. Department of Justice; the purpose of the grant is to provide funds to units of local government to underwrite projects designed to reduce crime and improve public safety; the City of Roanoke has been awarded \$129,407.00, and grant conditions require a local match amount of \$14,379.00, for a program totaling \$143,786.00; and the award will renew Roanoke's LLEBG Grant Program for the seventh consecutive year.

It was further advised that grant funds must be used for: (1) payment of overtime to presently employed law enforcement officers for the purpose of increasing the number of hours worked by such personnel and (2) procuring equipment, training and other materials directly related to basic law enforcement functions; and police bicycle patrol, directed at specific/problem areas or neighborhoods of the City will be continued through the program.

It was stated that the deadline for acceptance of the grant is August 25, 2002; grant funds become available only after a public hearing and an LLEBG Program advisory committee meeting has been conducted by the Police Department; and the public hearing and LLEBG advisory committee meeting must be conducted prior to October 9, 2002.

It was advised that the LLEBG Program requires that all grant funds (\$129,407.00) be placed in an interest bearing account; based on interest earned during the past year of LLEBG funding, interest earnings of \$2,500.00 are anticipated; and a local cash match of \$14,379.00 is available in the Police Department's State Asset Forfeiture account.

The City Manager recommended that she be authorized to execute any required documentation and that Council appropriate \$129,407.00 to grant fund accounts to be established by the Director of Finance in the following amounts:

Police Overtime	\$ 120,000.00
FICA	\$ 9,180.00
Expendable Equipment	\$ 12,000.00
Training and Development	<b>\$</b> 5,106.00
Total	\$146, 286.00

Mr. Carder offered the following budget ordinance:

(#36002-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 301.)

Mr. Carder moved the adoption of Ordinance No. 36002-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayor	Smith7.
-	
	NAYS: None0.
	TATION NONE

Mr. Carder offered the following resolution:

(#36003-080502) A RESOLUTION authorizing the acceptance of a certain Local Law Enforcement Block Grant from the United States Department of Justice, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 66, page 302.)

Mr. Carder moved the adoption of Resolution No. 36003-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayor Smith7.
NAYS: None0.

BUDGET-GRANTS: The City Manager submitted a communication advising that notification has been received from the Commonwealth of Virginia Commission for the Arts that a \$5,000.00 Local Government Challenge Grant has been awarded to the City of Roanoke; and application for the grant was made at the request of the Arts Council of Roanoke Valley, Mill Mountain Theatre, Opera Roanoke, Roanoke Symphony Orchestra, and Young Audiences of Virginia.

It was further advised that in order to receive the funds, the Commission must obtain written confirmation that local tax revenue dollars will be used to match or exceed the amount of the grant; and for fiscal year 2002-03, the above listed organizations will receive local tax dollar funding through the Roanoke Arts Commission in the following amounts:

Arts Council of the Roanoke Valley	\$12,500.00
Mill Mountain Theatre	10,500.00
Opera Roanoke	6,500.00
Roanoke Symphony Orchestra	21,500.00
Young Audiences of Virginia	4,000.00

The City Manager recommended that Council adopt a resolution authorizing acceptance of the grant, appropriate funds to an account to be created by the Director of Finance in the Grant Fund entitled, "Challenge Grant FY 03", and establish a revenue estimate of \$5,000.00; and grant funds will then be distributed to the five sponsoring agencies, in the amount of \$1,000.00 each.

Mr. Carder offered the following budget ordinance:

(#36004-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 303.)

Mr. Carder moved the adoption of Ordinance No. 36004-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36005-080502) A RESOLUTION authorizing the acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts.

(For full text of Resolution, see Resolution Book No. 66, page 304.)

Mr. Carder moved the adoption of Resolution No. 36005-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt an	d
Mayo	r Smith	7.
	NAYS: None	n

BUDGET-HUMAN DEVELOPMENT-GRANTS: The City Manager submitted a communication advising that the Virginia Department of Social Services issued a Request for Proposal to use Federal funds to provide job search, job coaching, and job retention services for hard-to-serve Temporary Assistance to Needy Families (TANF) recipients; the City of Roanoke Department of Social Services responded to the Request for Proposals with a proposal outlining its intent to work collaboratively with TAP – This Valley Works, to provide work-related services as above listed; under the proposal, eligible TANF recipients who must obtain employment, but who have not been in compliance with certain regulatory requirements, are provided customized job search assistance; and case managers work with these individuals to develop and initiate an individualized plan of action to meet compliance requirements and to assist in securing and maintaining employment.

It was further advised that the City of Roanoke was awarded \$207,933.00 in grant funding under the TANF Hard-to-Serve Project for fiscal year 2003, which includes \$31,561.00 carried forward from fiscal year 2002 and \$176,372.00 available for fiscal year 2003.

The City Manager recommended that Council authorize acceptance of the grant award, appropriate Temporary Assistance to Needy Families (TANF) Funding, totaling \$207,933.00, and establish a revenue estimate of \$207,933.00 in accounts to be established by the Director of Finance.

Mr. Bestpitch offered the following budget ordinance:

(#36006-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 305.)

Mr. Bestpitch moved the adoption of Ordinance No. 36006-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#36007-080502) A RESOLUTION authorizing acceptance of a grant award under the Temporary Assistance for Needy Families (TANF) Hard-to Serve Project from the Virginia Department of Social Services, for the purpose of providing job search, job coaching and job retention services for eligible TANF recipients who must obtain employment, and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

(For full text of Resolution, see Resolution Book No. 66, page 306.)

Mr. Bestpitch moved the adoption of Resolution No. 36007-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Smith	
wayor	- 3	٠.
	NAYS: None	٥.

BUDGET-GRANTS-WATER RESOURCES-ENVIRONMENTAL POLICY: The City Manager submitted a communication advising that Presidential Decision Directive 63 (PDD-63) was issued by President Clinton in 1998 and established the National Infrastructure Protection Center (NIPC); and the Directive also designates the water industry as one of <a href="eight critical">eight critical</a> infrastructure sectors and outlines a collaborative effort between public agencies and the private sector to identify and address the vulnerabilities in the nation's critical infrastructures.

It was further advised that in response to the attacks of September 11, 2001, the United States Environmental Protection Agency (EPA) received a supplemental appropriation from Congress to improve safety and security of the nation's water supplies; grant funds from EPA was made available for large systems that serve populations over 100,000, such as is the case with the City of Roanoke's water system; in December, 2001, the U. S. House of Representatives passed legislation that will require all water utilities serving over 3,300 people to complete vulnerability assessments of their potable water systems; and the schedule for completion of the assessment is December 31, 2002.

It was explained that in April 2002, the Water Division applied for a \$115,000.00 grant from EPA to be used by the City Water Division, in accordance with EPA requirements/guidelines, to develop a vulnerability assessment (VA), emergency response/operating plan (EOP), security enhancement and design, or a combination of efforts; Randall Funding and Development, the grant writing firm under contract with the City, assisted in the preparation of grant application materials, which assistance is offered to the City of Roanoke for 100 per cent of all approved costs incurred up to and not exceeding \$115,000.00 and the City is under no obligation to provide matching funds; and on June 17, 2002, the City received notification from the Environmental Protection Agency that the \$115,000.00 grant application has been approved.

The City Manager recommended that Council accept the EPA grant, in the amount of \$115,000.00, and authorize the City Manager and the City Clerk to execute and attest, respectively, an agreement with the Environmental Protection Agency and any other forms necessary and to take such further action as may be necessary to accept such grant, to be approved as to form by the City Attorney; and that Council appropriate \$115,000.00 in Federal funds in an account to be established by the Director of Finance in the Grant Fund.

Mr. Carder offered the following budget ordinance:

(#36008-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 307.)

Mr. Carder moved the adoption of Ordinance No. 36008-080502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36009-080502) A RESOLUTION authorizing the acceptance of a grant from the United States Environmental Protection Agency to develop a vulnerability assessment, emergency response/operation plan, security enhancement and design, or a combination of these items for the City's water system; authorizing execution of any required documentation on behalf of the City; and authorizing the City Manager to take such further action as may be necessary to accept such grant.

(For full text of Resolution, see Resolution Book No. 66, page 308.)

Mr. Carder moved the adoption of Resolution No. 36009-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

COMMUNITY PLANNING-GRANTS-BUSINESS INCUBATORS: The City Manager submitted a communication advising that since 1995, the Blue Ridge Small Business Development Center has operated the "New Century Venture Center," the

region's premiere small business incubator and one of the most successful facilities of its kind in the nation; the City of Roanoke has long been a supporter of the Center, including providing Community Development Block Grant (CDBG) funds to assist with acquisition of the building and operating costs during the Center's first three years; and the Center facilitates the viability of new and expanding small businesses by offering space and shared services to reduce financial burdens on such companies.

It further advised that more recently, the Small Business Center has perceived the need to assist businesses that cannot locate within the facility, but which nonetheless can benefit from the cost savings that the Center makes available; the Center is establishing a new "Venture Out" program that will provide computer, communications and other services to such external companies; and external companies will schedule time to use the equipment and services located within the "Venture Out" area of the Center, thereby reducing capital and other costs of the business viability.

It was stated that on May 13, 2002, Council authorized CDBG assistance to the Small Business Center and its Venture Out Program, pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-03 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; Council accepted 2002-03 CDBG funds on June 17, 2002, pursuant to Budget Ordinance No. 35914-061702 and Resolution No. 35915-061702, pending receipt of an approval letter from HUD; and the approval letter is completing the routine Congressional release process and is expected by mid-August.

It was explained that in order for the Small Business Center to provide business development activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Center is needed; necessary CDBG funding is available in Account No. 035-G03-0330-5370, and a total of \$105,000.00 in CDBG funds is being provided to the Small Business Center for the period from July 1, 2002, to June 30, 2003.

The City Manager recommended that she be authorized to execute the 2002-03 CDBG Agreement with the Blue Ridge Small Business Development Center.

Mr. Carder offered the following resolution:

(#36010-080502) A RESOLUTION authorizing City officials to enter into the 2002-2003 Community Development Block Grant Program Agreement with the Blue Ridge Small Business Development Center, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 309.)

Mr. Carder moved the adoption of Resolution No. 36010-080502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt a Mayor Smith	
NAYS: None	-0.

REGIONAL CHAMBER OF COMMERCE-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that since 1998, the Roanoke Regional Chamber of Commerce Small Business Development Center has conducted a "Community Business Development Initiative" program to promote business development in the central City; on May 13, 2002, Council authorized the Chamber's 2002-03 Community Development Block Grant (CDBG) activities and funding, pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-03 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; and Council accepted 2002-03 CDBG funds on June 17, 2002, pursuant to Budget Ordinance No. 35914-061702 and Resolution No. 35915-061702, pending receipt of the approval letter from the Department of Housing and Urban Development, and the approval letter is completing the routine Congressional release process and is expected by mid-August.

It was further advised that in order for the Chamber of Commerce to provide the business development activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Chamber of Commerceis needed; necessary CDBG funding is available in Account No. 035-G03-0330-5021, and a total of \$105,000.00 in CDBG funds is being provided to the Chamber of Commerce for the period from July 1, 2002, to June 30, 2003.

The City Manager recommended that she be authorized to execute the 2002-03 CDBG Agreement with the Chamber of Commerce, to be approved as to form by the City Attorney.

Mr. Harris offered the following resolution:

(#36011-080502) A RESOLUTION authorizing the execution of an agreement with the Roanoke Regional Chamber of Commerce for administration of Community Development Block Grant (CDBG) funds for FY 2002-2003, for services related to the promotion and development in the central area of the City.

(For full text of Resolution, see Resolution Book No. 66, page 309.)

Mr. Harris moved the adoption of Resolution No. 36011-080502. The motion was seconded by Mr. Dowe.

Mr. Dowe advised that he serves on the Board of Directors of the Roanoke Regional Chamber of Commerce, and inquired if he has a conflict of interest; whereupon, the City Attorney advised that since it is not a paid position, there would be no conflict of interest.

Resolution No. 36011-080502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

BUDGET-PARKS AND RECREATION-GREENWAY SYSTEM: The City Manager submitted a communication advising that greenways were first proposed for the City of Roanoke by landscape architect John Nolan in the 1907 and 1928 comprehensive plans which were developed for the City; and Mr. Nolan realized that the beneficial aspects of greenways extended far beyond their recreational value, and since that time, the Roanoke Valley community has undertaken an extensive and ambitious greenways development plan.

It was further advised that the Mill Mountain/Prospect Greenway was included in the Roanoke Valley Conceptual Greenway Plan, and selected as the region's pilot greenway project in 1995 by the Roanoke Valley Greenways Commission, which is comprised of representatives of all four Roanoke Valley governments; as originally envisioned, the greenway was to connect three of the Roanoke Valley's most visited destinations, linking the Market area with attractions on Mill Mountain, and continuing on to the Blue Ridge Parkway; due to budget constraints and other factors, the scope of the project has been divided into phases; the present phase, the Mill Mountain Greenway, will allow walkers, runners, and bicyclists to travel from the Market area, through Elmwood Park, across Elm Avenue and down Williamson Road, across the Walnut Avenue Bridge, to Piedmont Park, overlooking the Roanoke

River; construction will include new sidewalks, ramps, and retaining walls in Elmwood Park, medians on Williamson Road, a ramp leading from Hamilton Terrace to Piedmont Street, and a parking area at Piedmont Park, with associated amenities and work.

It was explained that after proper advertisement, five bids were received, with H. & S. Construction Company, submitting the low bid, in the amount of \$655,761.20 (which includes \$615,648.12 for the Base Bid and \$40,113.08 for Bid Alternate Items), and 180 consecutive calendar days for construction.

It was advised that funding in the amount of \$715,761.00 is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding is available from the following sources:

\$ 90,000.00	Account No. 008-052-9709-9180	Public Improvement Bonds Series 1999 - Parks
25,263.00	Account No. 008-052-9721	Mill Mountain Greenway
20,000.00		In-kind Cash Donation (Horace G. Fralin Charitable Trust)
390,000.00		ISTEA Grant
190,498.00	Account No. 008-530-9756	Roanoke River Greenway Phase II,

#### \$ 715,761.00

It was noted that the following organizations have contributed significantly to the project:

The Horace G. Fralin Charitable Trust contributed \$20,000.00; Lanford Brothers Co., Inc., donated labor and equipment usage for grading in Piedmont Park (valued at \$10,000.00); J. M. Turner & Co., Inc., donated labor, materials, and installation of the trellis at Piedmont Park (valued

at \$10,000.00); and Branch Highways, Inc., donated concrete barriers for Williamson Road (valued at \$10,000.00).

The City Manager recommended that Council accept the bid of H. & S. Construction Company, in the amount of \$655,761.20 (which includes \$615,648.12 for the Base Bid and \$40,113.08 for Bid Alternate Items), with 180 consecutive calendar days construction time; reject all other bids received by the City; accept a gift of \$20,000.00 from the Horace G. Fralin Charitable Trust; accept gifts of Lanford Brothers Co., Inc., J. M. Turner & Co., Inc., and Branch Highways, Inc., which are to be made available as construction progresses into specific areas; and establish an account receivable to accept the \$20,000.00 donation and the \$390,000.00 grant and appropriate these amounts, together with transfers of \$90,000.00 from Public Improvement Bonds Series 1999 - Parks, Account No. 008-052-9709-9180, and \$190,498.00 from Account No. 008-530-9756, Roanoke River Greenway Phase II, to Account No. 008-052-9721, Mill Mountain Greenway.

Mr. Harris offered the following budget ordinance:

(#36012-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 310.)

Mr. Harris moved the adoption of Ordinance No. 36012-080502. The motion was seconded by Mr. Dowe.

Mr. Cutler called attention to progress on the various greenways and inquired if greenway planners are incorporating plans for easy access from one greenway to another. The City Manager responded that easy access is the long term intent, different greenway segments are under construction, and in the past 30 days Council took action to approve acquisition of those parcels of land needed to bring the Lick Run Greenway to The Hotel Roanoke. She stated that at a future Council meeting, or via report, Council will be provided with information on proposals to connect all of the different greenways.

Ordinance No. 36012-080502 was adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayo	r Smith7.
	NAYS: None0.

#### Mr. Carder offered the following ordinance:

(#36013-080502) AN ORDINANCE accepting the bid of H. & S. Construction Company for the construction of a greenway connecting Elmwood Park and Piedmont Park, by way of Williamson Road, Walnut Avenue Bridge, and Riverview Boulevard, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 66, page 312.)

Mr. Carder moved the adoption of Ordinance No. 36013-080502. The motion was seconded by Mr. Harris and adopted by the following vote:

Move	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and rSmith7.
wayo	
	NAYS: None0.

Mr. Dowe offered the following resolution:

(#36014-080502) A RESOLUTION accepting a donation of funds to be used for the construction of the Mill Mountain Greenway; a donation of the delivery and placement of 564 linear feet of traffic barrier on the Williamson Road portion of the project; a donation of the materials for, and the construction and installation of, a trellis, and a concrete pad beneath the trellis, in Piedmont Park; and a donation of equipment and labor for the grading and preparation of the Piedmont Park parking area and the Hamilton Terrace switchback ramp; and expressing appreciation for each donation.

(For full text of Resolution, see Resolution Book No. 66, page 313.)

Mr. Dowe moved the adoption of Resolution No. 36014-080502. The motion was seconded by Mr. Carder and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt an	C
Mayo	r Smith	7
	NAYS: None	D.

BUDGET-Y. M. C. A-SWIMMING POOLS-GREENWAY SYSTEM: The City Manager submitted a communication advising that on June 18, 2001, Council adopted the 2002-2006 Capital Improvement Program (CIP), which included funds for the YMCA Aquatic Center and Roanoke River Greenway projects; beginning with fiscal year 2002, the City committed to a \$2.0 million investment, to be paid in \$200,000.00 increments over a ten-year period to the YMCA Aquatic Center; funds cover costs associated with design and construction of a new central branch YMCA complex; and City residents will receive a discounted membership rate, allowing them to visit any YMCA facility, including the facility planned in the City of Salem.

It was further advised that beginning in fiscal year 2002, the City also committed to contributing \$200,000.00 per year for ten years, for a total of \$2.0 million to the Roanoke River Greenways project; funds for the Roanoke River Greenway project cover costs associated with the construction of a greenway, which will extend along the Roanoke River; greenways have become a necessary commodity for communities across the United States since they are viewed as an essential amenity that encourages economic development; greenways connect citizens to various aspects of a community such as parks, shops, schools and neighborhoods; and numerous greenways have been proposed, with a majority connecting to the proposed Roanoke River Greenway.

It was explained that Council approved an update to the CIP for fiscal years 2003-2007 on May 13, 2002, and an appropriation of \$200,000.00 for each project in capital fund interest is required in order to meet the City's obligation for fiscal year 2003.

The City Manager recommended that Council appropriate \$400,000.00 in capital fund interest earnings to the following Capital Projects:

YMCA Aquatic Center Roanoke River Greenway	<b>\$</b>	200,000.00 200,000.00	
TOTAL	\$	400,000.00	

Mr. Carder offered the following budget ordinance:

(#36015-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 315.)

Mr. Carder moved the adoption of Ordinance No. 36015-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES:	Council	Members	Carder,	Cutler,	Dowe,	Harris,	Wyatt	and	Mayor
Smith	)									6
	NAYS:	None								0.

(Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA of the Roanoke Valley.)

BUDGET-FIFTH PLANNING DISTRICT COMMISSION: The City Manager submitted a communication advising that the Fifth District Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community; and the following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and have appointed a local official to serve as a representative: Cities of Roanoke, Salem, Covington, Clifton Forge; Counties of Roanoke, Craig, Botetourt, and Allegheny; and the Town of Vinton, with other members of the Disability Services Board including representatives from business and consumers.

It was further advised that Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, pursuant to Resolution No. 32675-092595.

It was explained that the State Department of Rehabilitative Services, through the Rehabilitative Services Incentive Fund (RSIF) Program, has allocated funds in the amount of \$80,346.00 over the next three years to the Fifth District DSB for the following projects:

Heartland Rehabilitative Services – Community-based creative movement dance classes to special needs children in cooperation with the Roanoke Ballet.

Family Service of the Roanoke Valley – Home-based personal care services for individuals with physical and sensory disabilities.

Adult Care Center of the Roanoke Valley – Day and weekend therapeutic and recreational services to persons with disabilities.

It was further explained that over the next three years, the \$80,346.00 Rehabilitative Services Incentive Fund allocation and a \$30,440.00 local agency match has been apportioned as follows: \$53,133.00 for the first year, \$47,633.00 for the second year and \$10,020.00 for the third year for the Adult Care Center, Family Services of Roanoke Valley, and Heartland Rehabilitation; and no local government match is required.

The City Manager recommended that Council appropriate \$80,346.00 to grant fund accounts to be established by the Director of Finance and create a corresponding revenue estimate from the State Department of Rehabilitative Services to provide funding for the Fifth District Disability Services Board.

Mr. Carder offered the following budget ordinance:

(#36016-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 316.)

Mr. Carder moved the adoption of Ordinance No. 36016-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

REGIONAL CHAMBER OF COMMERCE-FIFTH PLANNING DISTRICT COMMISSION-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that the development of a regional economic strategy was undertaken by the Fifth Planning District Regional Alliance over a year ago; Eva Klein & Associates, Ltd., and the Center for Regional Economic Competitiveness assisted the Alliance in the planning process; over 150 individuals/groups involved with local government, economic development, business, education, tourism, and human resources were interviewed as part of the effort; and on July 11, 2002, the Board of Directors of the Regional Alliance adopted a strategy to serve as a roadmap for improving the region's economic competitiveness.

It was further advised that the Strategy includes a number of strategies, goals and tactics developed within a framework of six critical and interrelated strategic themes; i.e.:

Visibility
Connectivity
Quality of Life Amenities
Knowledge Work Force
Innovation & Entrepreneurship
Economic Transformation

The City Manager recommended that Council adopt a measure endorsing the Fifth Planning District Regional Alliance's Regional Economic Strategy.

Mr. Harris offered the following resolution:

(#36017-080502) A RESOLUTION endorsing a Regional Economic Strategy developed by the Fifth Planning District Regional Alliance.

(For full text of Resolution, see Resolution Book No. 66, page 36017.)

Mr. Harris moved the adoption of Resolution No. 36017-080502. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

## **DIRECTOR OF FINANCE:**

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of June 2002.

Without objection by Council, the Mayor advised that the June 2002 Financial Report would be received and filed.

#### **REPORTS OF COMMITTEES:**

COMMITTEES-ARCHITECTURAL REVIEW BOARD-STREETS AND ALLEYS: Robert B. Manetta, Member, Architectural Review Board, requested that Council review proposed changes to the streetscape for the Kirk Avenue area between Market Street and Williamson Road. He called attention to the quality of work on the first section of the street, but due to concerns regarding expenses to maintain the area, the City has considered not following through with the same type of treatment for the remainder of the street. He referred to future development in the Market area in which case it would be advantageous to continue with the same type of treatment which will invite pedestrians from those buildings to the market area. He stated that cities all over the country with successful downtown areas have dressed up streets, intersections, and pedestrian walkways which demonstrate pride in the community, it is the right thing to do for an area that is extremely important to the entire City of Roanoke, and the area represents the City's front door and showplace. He advised that representatives of Downtown Roanoke, Inc., will appear before Council in the near future to discuss similar treatments for other streets in the City Market area.

Mr. Peter Clapsaddle, 306 Market Street, S. W., architect for a proposed new project at the corner of Market Street and Kirk Avenue, expressed support of the recommendation of the Architectural Review Board to enable pavement on both sides of the street to be consistent.

The Mayor advised that without objection by Council, the matter would be referred to the City Manager for report.

**UNFINISHED BUSINESS: NONE.** 

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

SWIMMING POOLS-LEASES: Ordinance No. 35977, authorizing the proper City officials to enter into a Deed of Lease Extension between the City of Roanoke and Roanoke Valley Swimming, Inc., for the lease and operation of certain City-owned property known as the Gator Aquatic Center, having previously been before the Council for its first reading on July 15, 2002, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final and adoption:

(#35977-080502) AN ORDINANCE authorizing the proper City officials to enter into a Deed of Lease Extension between the City of Roanoke and Roanoke Valley Swimming, Inc., for the lease and operation of certain City-owned property known as the Gator Aquatic Center, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 66, page 296.)

The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0

**MOTIONS AND MISCELLANEOUS BUSINESS:** 

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ACTS OF ACKNOWLEDGMENT-OUTDOOR DINING: Council Member Carder commended City staff for their efforts in connection with establishing outdoor dining for the City of Roanoke.

COMMUNITY PLANNING-NORFOLK SOUTHERN CORPORATION-HOTEL ROANOKE CONFERENCE CENTER-STREETS AND ALLEYS: Council Member Carder requested that Council discuss the feasibility of reopening Jefferson Street to vehicular/pedestrian traffic at its August 13, 2002 Planning Retreat. He pointed out that Norfolk/Southern closed the Jefferson pedestrian crossover at about the same time that the walkway was opened to the Hotel Roanoke and Conference Center.

NEIGHBORHOOD ORGANIZATIONS-COMMUNITY PLANNING-STREETS AND ALLEYS: Council Member Carder referred to the City's Comprehensive Plan as it relates to traffic issues/traffic calming, versus traffic moving expeditiously from one point to another throughout the City. He stated that the Comprehensive Plan should be the vision by which Council bases its decisions as a City Council and the ruler by which all decisions are made by City staff and management. As a part of Council's Planning Retreat on August 13, 2002, he requested that Council discuss the matter of neighborhood streets and "workhorse streets". He referred to the Bullitt/Jamison neighborhood where residents have requested two-way streets, and advised that streets running through neighborhoods should be pedestrian friendly.

ACTS OF ACKNOWLEDGMENT-GRANDIN THEATER: Council Member Cutler congratulated the Grandin Theatre Foundation on raising over \$1 million toward the reopening of the Grandin Theater in the fall of 2002.

ACTS OF ACKNOWLEDGMENT-WATER RESOURCES: Council Member Cutler commended the efforts of a number of persons who were involved in bringing the temporary Crystal Spring water supply on line as expeditiously as possible, and requested that appreciation be expressed to those individuals at a future City Council meeting.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

STREETS AND ALLEYS: Mr. Fred Flowers, 3207 White Oak Road, S. W., spoke with regard to a request of Structures Design/Build, LLC, for closure of a portion of the Franklin Road right- of-way to facilitate development of a 3.5 acre strip of land lying between Franklin Road and residential property on White Oak Road. He advised that Council at its meeting on Monday, July 15, 2002, referred the request to the City Manager to address issues regarding pricing and language relative to the degree of the cut of the land. He stated that Council was previously advised that commercial development of the land is inevitable, however, Council was desirous of minimizing the environmental impacts of development. He stated that residents of White Oak Road believe that there is a viable alternative to development of the land, and they propose to purchase the 3.5 acres jointly and immediately donate the land to the City of Roanoke for use as permanent green space. He stated that price has been discussed in broad terms with the current land owner, and he has secured financial commitments from most of the residents adjoining the property; however, the only obstacle is that Structures/Design Build has a contract to purchase the 3.5 acres, subject to contingencies affecting the economic feasibility of this project. He added that should Council grant or sell the excess Franklin Road right-of-way to Structures Design/Build, economic feasibility of this commercial development project will be enhanced, most likely killing any opportunity by residents to preserve the land in its present state. He explained that because the land is too narrow, too steep and too expensive, it has not previously been developed, and asked that Council deny the request of Structures Design/Build in the hopes that the City will not provide the economic stimulus that the company needs to proceed with development.

Mr. James Mullitt, 3227 White Oak Road, S. W., advised that concerned citizens request that Council carefully consider the proposed removal of a green area along Franklin Road that is for sale, contingent upon Council's action to sell the right-of-way, which will cause development of the property to be more economically feasible. He called attention to instances in the City of Roanoke where hillsides were bulldozed in order to make room for development which have turned out to be eve sores, and the term "strip mining" seems appropriate for the area under consideration. He stated that while the property is zoned commercial, it borders 12 backyards, and an entire neighborhood would be dramatically effected if such a "strip mining" process were to occur. He added that careful consideration of the impact of development is in order, such as safety of children should a steep grade be present, possible erosion, the foundations of aging homes should blasting be required, and a proposal to block the streams flowing through the area. He stated that a vote to give or sell the land to the developer is a vote by Council to remove green areas; and residents look to the Members of Council for the leadership to find an alternative that will bring about the correct solution.

Mr. William Jappich, 3215 White Oak Road, S. W., expressed concern about development of the property. He stated that the City Planning Commission voted unanimously to deny the request, and asked that Council take into consideration the recommendation of the Planning Commission when it makes its decision.

COMPLAINTS-TAXES-CITY COUNCIL-CITY EMPLOYEES: Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed Council in connection with insufficient wages for the City's work force, deteriorating housing stock in the City of Roanoke, and favoritism by Council and the City administration of business over the average citizen. He alleged taxation without representation, misuse of power, and obstruction of justice.

#### **CITY MANAGER COMMENTS:**

GRANTS-WATER RESOURCES: The City Manager referred to a grant application approved earlier in the Council meeting with regard to additional security measures for the City's water systems, which is one of two grants that the City has received as a result of the contract with The Randall Corporation to prepare grant writing applications that enabled the City of Roanoke to receive at least \$1 million in grants. She reported that with the two grants that were recently approved, The Randall Corporation has more than paid for its two year contract rate and will continue to apply for various grants on behalf of the City.

REGIONAL CHAMBER OF COMMERCE-COMMUNITY PLANNING-ECONOMIC DEVELOPMENT: The City Manager expressed appreciation that Members of Council have recently given credence to the importance of the City's Comprehensive Plan and the need for the Comprehensive Plan to serve as the City's future vision. During the Council's Planning Retreat on August 13, she requested that Council use the Comprehensive Plan as a guiding tool for prioritizing activities of City staff over the next several years. She further advised that the Regional Economic Development Strategy, which was approved earlier in the meeting and involved regional cooperation by the public and private sectors, should also serve as a guiding tool for the future. She stated that the proof of both plans is in their implementation, and encouraged Council to hold up the two documents to City staff to ensure that the City is on a course of action that will take the Roanoke community and the Roanoke Valley to greatness.

At 3:45 p.m., the Mayor declared the meeting in recess for one Closed Session.

At 4:35 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

	AYES:	Council	Members	Bestpitch,	Carder,	Cutler,	Dowe,	Harris,	Wyatt
and M	layor Sm	nith							7 <i>.</i>
	NAVQ.	None							<b></b>
	11/1/10.	140116							

SCHOOLS: Mr. Harris moved that those persons (Edna Crabbere, David Dabay, F. B. Webster Day, John W. Elliott, Jr., and William H. Lindsey), who applied for a vacancy on the Roanoke City School Board created by the resignation of Sherman P. Lea, also be considered for purposes of the public hearing on the vacancy created by the resignation of William E. Skeen, pursuant to those persons granting permission via contact by the City Clerk's Office. The motion was seconded by Mr. Carder and unanimously adopted.

ZONING-COMMITTEES: The Mayor advised that pursuant to Ordinance No. 35953 adopted by Council on June 17, 2002, membership of the Board of Zoning Appeals was increased from five to seven; whereupon, he opened the floor for nominations to fill the vacancies.

Mr. Carder placed in nomination the name of Diana B. Sheppard.

There being no further nominations, Ms. Sheppard was appointed as a member of the Board of Zoning Appeals, for a term ending December 31, 2005, by the following vote:

FOR MS. SHEPPARD: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

COMMITTEES-TRANSPORTATION SAFETY: The Mayor advised that there is a vacancy on the City of Roanoke Transportation Safety Commission, and called for nominations to fill the vacancy.

Mr. Bestpitch placed in nomination the name of Ann F. Harmon.

There being no further nominations, Ms. Harmon was appointed as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004, by the following vote:

FOR MS. HARMON: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

Mr. Bestpitch moved that the City residency requirement be waived in this instance. The motion was seconded by Mr. Carder and unanimously adopted.

COMMITTEES-YOUTH: The Mayor called attention to vacancies on the Youth Services Citizen Board; whereupon, he opened the floor for nominations to fill the vacancies.

Mr. Carder placed in nomination the name of Abbi Fitzpatrick, Lylburn D. Moore, Jr., and Cheryl D. Evans.

There being no further nominations, Ms. Fitzpatrick and Mr. Moore were appointed for terms ending May 31, 2005, and Ms. Evans was appointed for a term ending May 31, 2003, as members of the Youth Services Citizen Board, by the following vote:

FOR MS. FITZPATRICK, MS. EVANS AND MR. MOORE: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

HOUSING/AUTHORITY-COMMITTEES: The Mayor advised that the terms of office of Christie L. Meredith and Beverly T. Fitzpatrick, Jr., as Commissioners of the Roanoke Redevelopment and Housing Authority will expire on August 31, 2002, and called for nominations to fill the vacancies.

Mr. Harris placed in nomination the names of Christie L. Meredith and Beverly T. Fitzpatrick, Jr.

There being no further nominations, Ms. Meredith and Mr. Fitzpatrick were reappointed as Commissioners of the Roanoke Redevelopment and Housing Authority, for terms ending August 31, 2006, by the following vote:

FOR MS. MEREDITH AND MR. FITZPATRICK: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

COMMITTEES-SCHOOLS: The Mayor advised that the term of office of Margaret M. Grayson as a member of the Virginia Western Community College, Board of Directors, expired on June 30, 2002, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Barry W. Baird.

There being no further nominations, Mr. Baird was appointed as a member of the Virginia Western Community College, Board of Directors, for a term ending June 30, 2006, by the following vote:

FOR MR. BAIRD: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

At 4:40 p.m., the Mayor declared the meeting in recess to be reconvened on Tuesday, August 13, 2002, at 9:00 a.m., in the Executive Board Room at Bernard's Landing Resort and Conference Center, 775 Ashmeade Road, Moneta, Virginia, for City Council's Planning Retreat. (The Council's Planning Retreat was postponed until a later date.)

APPROVE	Α	Ρ	Ρ	R	0	٧	Ε	
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A	T	T	E	S	Т	:

Mary F. Parker City Clerk Ralph K. Smith Mayor

#### August 8, 2002

#### 2:00 p.m.

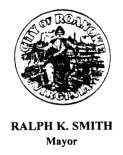
A meeting of the Roanoke City Council Personnel Committee, composed of the Members of the Roanoke City Council, was called to order on Thursday, August 8, 2002, immediately following conclusion of the Legislative Committee meeting, which convened at 12:00 noon, in City Council's Conference Room, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Chairperson C. Nelson Harris presiding.

At 2:05 p.m., the Chairperson declared the meeting in recess.

At 2:35 p.m., the meeting reconvened in City Council's Conference Room, with all Members of the City Council Personnel Committee in attendance, with the exception of Council Member Bestpitch.

COUNCIL: With respect to the Closed Meeting just concluded, Ms. Wyatt moved that each Member of the City Council Personnel Committee certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the City Council Personnel Committee. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Mayor Smith and Council Members Carder, Cutler, Dowe, Wyatt and
Chairperson Harris6.
NAYS: None0.
(Council Member Bestpitch was absent.)
There being no further business, the Chairperson declared the meeting adjourned at 2:37 p.m.
APPROVED
ATTEST:
Stephanie M. Moon  Deputy City Clerk  C. Nelson Harris Chairperson



# **CITY OF ROANOKE**

## CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members: William D. Bestpitch William H. Carder M. Rupert Cutler Alfred T. Dowe, Jr. C. Nelson Harris Linda F. Wyatt

September 16, 2002

The Honorable Vice-Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

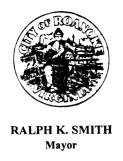
Sincerely,

Mayor

The second second second

RKS:sm

H:\Agenda.02\Closed Session on Vacancies.wpd



## **CITY OF ROANOKE**

## CITY COUNCIL

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Council Members: William D. Bestpitch William H. Carder M. Rupert Cutler Alfred T. Dowe, Jr. C. Nelson Harris Linda F. Wyatt

September 16, 2002

The Honorable Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

I have requested the City Attorney to prepare the attached measure commending the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes of Conduct Project in Virginia, which encourages Congressional candidates to develop and sign a Code of Conduct.

With kindest personal regards, I am

Sincerely,

William D. Bestpitch Council Member

WDB:sm





August 28, 2002

Dear Bill.

#### **PARTNERED WITH:**

Institute for Global Ethics

**ENDORSED BY:** 

Virginia Chamber of Commerce

Virginia Bar Association

The Woman Activist Fund, Inc

We would like to inform you of a new project that the Sorensen Institute has embarked on in recent months. Together with the Virginia Ethics Forum, the Sorensen Institute is promoting the development of Codes of Conduct in Congressional races across the Commonwealth.

A Code of Conduct is a mutually agreed upon set of standards developed by the candidates in a particular race to eliminate personal attacks and mudslinging during the election. The Code Project does not limit candidates' ability to compare and contrast their stance on issues with that of their opponents. This project seeks to promote issue-based campaigns in which the public and the candidates are involved in a civil dialogue.

This project has been endorsed by diverse groups from around Virginia, including the Virginia Chamber of Commerce, the Virginia Bar Association and the Woman Activist Fund, Inc.

Enclosed is a copy of a proposed City Council resolution. In order to gain more widespread support, we would like to have you introduce this resolution to the Roanoke City Council.

If you have any questions about the project or about how else you can get involved, please call Amy Spitler at (434) 982-5234 or e-mail aspitler@virginia.edu. Thank you for your help!

Best regards,

Amy N. Spitler

Sorensen Institute for Political Leadership





WHEREAS, The Sorensen Institute for Political Leadership (SIPL) and the Virginia Ethics Forum (VEF) are non-partisan, non-profit organizations dedicated to improving governance in Virginia; and

WHEREAS, SIPL and VEF have joined together for the Codes of Conduct Project which encourages Congressional candidates to develop and sign a Code of Conduct; and

WHEREAS, a Code of Conduct is a set of standards based on values such as honesty and respect intended to eliminate attack-oriented campaigning; and

WHEREAS, a Code of Conduct is good for democracy because it encourages civil dialogue between candidates and allows the public to focus on issues rather than personal attacks; and

WHEREAS, the November 2002 election cycle is the first time the Codes of Conduct Project has encouraged candidates to develop a Code of Conduct on a large scale in Virginia; and

WHEREAS, the Codes of Conduct Project has received endorsements from diverse organizations from across the Commonwealth including the Virginia Chamber of Commerce, the Virginia Bar Association and the Woman Activist Fund, Inc.; be it

RESOLVED by the City Council of Roanoke that the City Council commends the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes Project in Virginia; and be it

RESOLVED FURTHER that the Clerk of City Council is requested to prepare a copy of this resolution for presentation to the Sorensen Institute for Political Leadership and the Virginia Ethics as an expression of the City Council's admiration for the Sorensen Institute and Virginia Ethics Forums vision and good works and for its sustained commitment to the future of the Commonwealth.





#### **FAQ ABOUT CODES OF CONDUCT:**

What exactly is a Code of Conduct?

A Code of Conduct is a mutually agreed upon set of standards developed by the candidates in a particular race to eliminate personal attacks and mudslinging during the election. A Code of Conduct does not limit candidates' ability to compare and contrast their stances with those of their opponents. The Sorensen Institute wants to promote issue-based campaigns in which the public and the candidates are involved in a civil dialogue.

ENDORSED BY:

Institute for Global

**Ethics** 

**PARTNERED WITH:** 

What violates the Code?

Comparing and contrasting an opponent's stance on an issue to yours does NOT

violate a Code. Talking about an opponent's voting record does NOT violate a Code. Personal attacks DO violate a Code.

Virginia Chamber of Commerce

Virginia Bar Association Who enforces the Code?

The Woman Activist

The only group possible: the voters. Once the code is signed by all the candidates, the Sorensen Institute and Virginia Ethics Forum's role is to make it clear to the media and the voters what was signed and by whom. We will not comment on candidate behavior and will not play "ethics police" by judging the acts of any particular campaign.

The Woman Activist Fund, Inc

Who is endorsing the Code of Conduct Project?

Locally, we have earned the endorsements of the State Chamber of Commerce, The Woman Activist Fund, Inc and the Virginia Bar Association. Nationally, the Project has many endorsers including the League of Women Voters and Common Cause.

Has this been done before?

This is the first time Codes of Conduct have been attempted on a large scale in Virginia. Codes of Conduct have been successfully implemented in the past in Washington State, Maine and Ohio. Codes of Conduct are being pursued in 19 states for the November elections.

How can I learn more?

You can visit the official web-site at <a href="https://www.campaignconduct.org">www.campaignconduct.org</a> or call Amy Spitler at (434) 982-5234 or email at <a href="mailto:aspitler@virginia.edu">aspitler@virginia.edu</a>

#### IN THE COUNCIL OF THE CITYOF ROANOKE, VIRGINIA,

A RESOLUTION commending the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes of Conduct Project in Virginia.

WHEREAS, the Sorensen Institute for Political Leadership (SIPL) and the Virginia Ethics Forum (VEF) are non-partisan, non-profit organizations dedicated to improving governance in Virginia;

WHEREAS, SIPL AND VEF have joined together for the Codes of Conduct Project which encourages Congressional candidates to develop and sign a Code of Conduct;

WHEREAS, a Code of Conduct is a set of standards based on values such as honesty and respect intended to eliminate attack-oriented campaigning;

WHEREAS, a Code of Conduct is good for democracy because it encourages civil dialogue between candidates and allows the public to focus on issues rather than personal attacks;

WHEREAS, the November 2002 election cycle is the first time the Codes of Conduct Project has encouraged candidates to develop a Code of Conduct on a large scale in Virginia; and

WHEREAS, the Codes of Conduct Project has received endorsements from diverse organizations from across the Commonwealth including the Virginia Chamber of Commerce, the Virginia Bar Association and the Woman Activist Fund, Inc.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. That this Council commends the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes Project in Virginia.

2. The City Clerk is directed to forward attested copies of this resolution to Ms. Amy Spitler at the Sorensen Institute for Political Leadership and to Mr. Bill Cundiff at the Virginia Ethics Forum, as an expression of City Council's admiration for their vision, good works and sustained commitment to the future of the Commonwealth of Virginia.

ATTEST:

City Clerk.



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

The Honorable Mayor and Members of City Council Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Katherine F. Strickland, Executive for the Virginia Museum of Transportation in which she is requesting to update City Council on advancing the TransDominion Express at the regular meeting of City Council on Monday, September 16, 2002.

Sincerely,

Darlene L. Burcham

City Manager

DLB:sm

c: City Attorney

Director of Finance

City Clerk



September 9, 2002

The Honorable Ralph Smith and Members of Roanoke City Council 215 Church Ave., Room 456 Roanoke, VA 24011

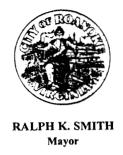
Dear Mayor Smith and Roanoke City Council Members:

I am writing on behalf of the Committee to Advance the TransDominion Express to request a time to meet with you regarding the project. The proposed route for the TransDominion Express runs from Bristol to Washington, DC and Richmond with Roanoke being one of the major stops along the way. The General Assembly appropriated \$9.3 million for the project. As a member of the Committee I traveled with 8 members of the Virginia House Appropriations Committee and others for a rail study tour of Portland, Oregon and Seattle, Washington. The trip was very interesting and inspiring for our initiatives for passenger rail service in our area. I would like to meet with Roanoke City Council on Monday, September 16 to update you on what is happening to advance the TransDominion Express at this time. Roanoke City Council has endorsed the project, but it is the committee's hope that Roanoke City will join other towns and cities (including Salem) in financially supporting the project.

Please do not hesitate to contact me with any questions regarding this letter. I look forward to the opportunity to bring you up to date on what is happening in the West with rail travel and the possibilities for our own community.

With kindest regards,

Katherine F. Strickland Executive Director



## **CITY OF ROANOKE**

#### CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members: William D. Bestpitch William H. Carder M. Rupert Cutler Alfred T. Dowe, Jr. C. Nelson Harris Linda F. Wyatt

September 16, 2002

The Honorable Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

We jointly sponsor a request of Anita J. Price, President, Roanoke Education Association, to address Council with regard to under funding of public education by the Commonwealth of Virginia, at the regular meeting of City Council on Monday, September 16, 2002, at 2:00 p.m.

Sincerely,

William D. Bestpitch Council Member

0.

Linda F. Wyatt Council Member

WDB:LFW:sm

pc: Darlene L. Burcham, City Manager

N:\CKSM1\AGENDA.02\COUNCIL FORM LETTER FOR AGENDA ITEMS.DOC



Roanoke Education Association, Inc. P.O. Box 22 Roanoke, Virginia 24002

An affiliate of
Virginia Education Association and
National Education Association

September 11, 2002

To Whom It May concern:

On behalf of the Roanoke Education Association, I would like to request the opportunity to make a brief presentation concerning the state under funding of public education. Our Brighter Futures for Virginia's Children campaign addresses this grave concern.

I will be accompanied by our Vice-president, Michelle Eanes and Diane Price, Uniserv Director for District 5.

Thank you in advance.

Anjta James Price

President.

Roanoke Education Association

PS. Our AV equipment needs are use of power point computer.



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable William D. Bestpitch, Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Rehabilitation District Expansion

#### Background:

Virginia State Code provides for local establishment of Rehabilitation Districts by City Council resolution in Section 36-52.3. The establishment of Rehabilitation Districts permits the City and the Housing Authority to implement housing programs such as Rental Inspections and rehabilitation programs. In addition, it permits the City to establish Neighborhood Design District regulations in the Zoning Ordinance pertaining to new construction and additions to existing structures. These programs are limited to core areas of the city that are designated Conservation Areas, Redevelopment Areas, or Rehabilitation Districts.

Staff recommends expansion of the existing Rehabilitation District in the northern part of the Melrose Rugby neighborhood. This expansion was recommended in the Melrose-Rugby Neighborhood Plan, which City Council adopted on June 18, 2001. The plan's residential development strategy recommends that the City "extend the Rehabilitation District north to include Andrews Road, Cove Road, Syracuse Avenue, Grayson Avenue and Thomas Avenue."

Honorable Mayor and Members of Council September 16, 2002 Page 2

#### Considerations:

State Code requires that a proposed Rehabilitation District meet two criteria. First, the area must be adjacent to a Conservation Area. Second, the area must show that the area is likely to deteriorate if not rehabilitated. The Melrose Rugby area meets both criteria. The first criterion is met because the existing Rehabilitation District, which is adjacent to a Conservation Area, would simply be expanded.

The second criterion is met because the area (including the area for expansion) shows continued potential for deterioration. The neighborhood has a lower owner-occupancy rate (50.5%) than the City (56.6%), and approximately one quarter of the residents' income is below the poverty level. In addition, the median house value is \$10,700 lower than the city median. These statistics indicate a housing tenure type, income level, and comparative value of housing that could have adverse impacts on continued housing maintenance activities and resulting loss of competitive market position of the neighborhood in relation to the City and the region unless specific public actions are not initiated.

Code enforcement records of the Department of Housing and Neighborhood Services indicate over 300 properties in the entire neighborhood have been the subject of code enforcement activities, which is approximately one-fifth of all dwelling units. The northern part of the Melrose Rugby neighborhood contains a large amount of vacant land and overall vacant housing units are estimated to be just under ten percent for the entire neighborhood. This indicates that the area has a high potential for infill housing development and continued rehabilitation activities under specific programmatic activities and guidelines that can be broadened through the expansion of the rehabilitation district.

To carry out the Melrose Rugby Neighborhood Plan's recommendations for continued focus on housing rehabilitation and encouraging well-designed market rate infill housing, the existing rehabilitation district should be expanded, and the Neighborhood Design District standards of the Zoning Ordinance should be implemented in the rehabilitation district, including the portion proposed for expansion.

Honorable Mayor and Members of Council September 16, 2002 Page 3

#### Recommendation:

Adopt a resolution to expand the Rehabilitation District in the Melrose Rugby neighborhood.

Respectfully submitted,

Darlene L. Burcham City Manager

DLB:CC:mpf

cc: Mary F. Parker, City Clerk

William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance

R. Brian Townsend, Director, Planning Building and Development F. Mike Etienne, Acting Director, Housing and Neighborhood Services

CM02-0207

## MEASURE NOT AVAILABLE.



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Technology Zone

#### Background:

In 1995 the Code of Virginia was amended, to allow local governments the opportunity to create local technology zones. Such zones may be created for a period of up to ten years and may allow localities to provide various economic incentives to businesses. Both the *City of Roanoke's Comprehensive Plan Vision 2001-2020* and the *Outlook Roanoke Update* recommend the establishment of a technology zone within the City that will provide special incentives to attract, retain, and grow technology businesses. The primary areas that have been identified for technology business growth include the Downtown and South Jefferson Redevelopment areas.

Earlier this year, the City's Department of Economic Development completed an evaluation of other technology zone programs around the Commonwealth. In addition, City staff met with existing technology businesses to gain further insight as to what incentives would better attract or retain technology firms. The Department concluded a technology zone should be established within the City, thereby offering the following economic incentives to qualifying technology businesses:

a) Telecommunication Connection Fee Grant: (i.e. Fiber Optics, Data) —Qualified technology businesses may receive a one-time telecommunication connection fee grant, equal to 50 % of the actual costs spent by such business to obtain telecommunication services to its location, not to exceed \$1,000 per grant.

b) Capital Investment Grants: A capital investment grant may be provided to qualified technology businesses. The grant is based on the net increase in new investment made within the technology zone. The grant is calculated on the net qualifying increase in business personal property (including tangible personal property and machinery and tools) and real estate taxes paid by a qualified technology business. The grant is equal to fifty (50) percent of the net increase in such taxes actually paid by the technology business and which increase resulted from a qualified technology business' new investment in business personal property and real estate improvements.

The above grants will be administered through the Industrial Development Authority of the City of Roanoke, Virginia, with funds provided by the City. Incentives are based on a technology company's creation of new, full time job positions and new capital investment within the technology zone. A summary of the technology zone incentives is attached as Attachment A. A map of the technology zone is attached as Attachment B.

#### Considerations:

The establishment of the technology zone requires Council to adopt an Ordinance to add Chapter 32.1, Technology Zone, to the Code of the City of Roanoke (1979), as amended.

Funding for the technology zone incentives will be necessary until the end of the life of the technology zone, September 30, 2012. Since the incentives are based upon new net revenue to the City, funding for such incentives will be provided by revenues generated from technology investments. Required funding will be annually appropriated through the life of the technology zone based on revenues achieved.

#### Recommended Action:

Amend the Code of the City of Roanoke to add Chapter 32.1, Technology Zone, and further authorize the City Manager to take such further action and execute such additional documents as may be necessary to obtain or confirm such local incentives and to establish appropriate rules and regulations to implement and administer such local incentives.

Sincerely,

Darlene L. Burcham

City Manager

DLB:clw

#### Attachments

c: Jesse Hall, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Elizabeth Neu, Director of Economic Development
Barry Key, Director of Management & Budget
Joe Slone, Director of Technology
Will Claytor, Director of Real Estate Valuation
Sherman Holland, Commissioner of Revenue

CM02-00205

### Technology Zone Incentive Summary September 16, 2002

#### Qualifications

#### **Technology Business**

Qualifying businesses must be a "technology business" which means a business firm
engaged in the activities of research, design, development, or manufacture of
commodities, services or solutions used in factory automation, biotechnology, chemicals,
computer hardware, computer software, computer systems, defense, energy,
environmental, manufacturing equipment, advanced materials, medical, pharmaceuticals,
photonics, subassemblies and components, test and measurement, telecommunications,
and transportation. In no case will the use of computers or telecommunication services
used by a business or a professional services firm in its administrative operations, qualify
the business firm as a technology business.

#### **Existing Technology Zone Businesses**

- Technology firm must increase its average number of full-time job positions by a least 10%.
- Technology firm must make new, added capital investment (i.e. new business personal property and / or real estate improvements) resulting in an increase of at least 20% of the cost of the qualified business personal property and / or assessed value of the firm's real estate.

#### New Technology Zone Businesses

- Technology firm must create a minimum of 3 full time job positions.
- Technology firm must make new, added capital investment (i.e. new business personal property and / or real estate improvements) of at least \$30,000.

#### **Incentives**

#### Telecommunication Connection Fee Grant

- Grant, equal to 50% of the actual costs spent by a technology firm to obtain telecommunication services to its location.
- Grant will not exceed \$1,000 per business.
- Qualified zone resident may also qualify for such a grant if the cost of the telecommunication connection is to accommodate a qualified technology business.
- Grant shall be awarded through the Industrial Development Authority of the City of Roanoke, Virginia (IDA).

#### Capital Investment Grant

- Grant, equal to 50% of the net increase in business personal property and real estate taxes actually paid by the technology firm which resulted from a technology firm's new investment in business personal property and real estate improvements.
- Grant is based on net new revenue to the City.
- Grant shall be awarded through the IDA.

### **Examples**

#### Example #1

In Year 1, an existing *Tech Business A*, located in the Technology Zone, has ten full time job positions and a \$400,000 investment value of real estate and personal property. The following Year 2, *Tech Business A* adds one full time job position, constructs an addition to its building, and purchases new computer equipment, thereby investing \$80,000 in new real estate improvements and business personal property improvements. As a result of adding a full time job position and making new investment of \$80,000, *Tech Business A* has met the qualifications for technology zone incentives by increasing its employment by 10% and by making new investment, resulting in a 20% increase in the value of real estate and personal property.

In year one, *Tech Business A* paid approximately \$2,200 in real estate and business personal property taxes. As a result of *Tech Business A's* new investment, *Tech Business A's* taxes increased from \$2,200 in year one to \$3,000 in year two. This amounts to \$800 in new taxes for the company. After paying the new total of \$3,000 in real estate and business personal property taxes, *Tech Business A* applies for a Capital Investment Grant. A grant of \$400 is therefore, awarded to *Tech Business A* (50% of \$800 = \$400) through the IDA.

#### Example #2

A new technology company, *Tech Firm B*, locates in an existing office building within the technology zone. The office building is not currently lit or connected with fiber optic telecommunication services. Therefore, *Tech Firm B* spends approximately \$1200 in telecommunication connection fees to connect or light the building. In addition, *Tech Firm B* creates 8 full time job positions and invests approximately \$38,000 in new, business personal property equipment. As a result of such actions, *Tech Firm B* has met the qualifications for technology zone incentives by creating at least 3 full time job positions and making an added new investment of at least \$30,000. New taxes of \$700 were thus created for the company, following *Tech Firm B's* location and capital investment within the technology zone. After paying \$700 in new taxes, *Tech Firm B* applies for a Capital Investment Grant. A grant of \$350 is therefore awarded to *Tech Firm B* (50% of \$700 = \$350) through the IDA.

In addition to the Capital Investment Grant, *Tech Firm B* also qualifies to receive a Telecommunication Connection Fee Grant equal to 50% of the actual costs spent by the business to connect the building. A grant of \$600 is therefore, awarded to *Tech Firm B* (50% of \$1200 = \$600) through the IDA.

City of Roanoke Technology Zone



Dated: September 16, 2002 City Plan No. 6513 9-12-02

#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by the addition of a new Chapter 32.1, <u>Technology Zone</u>, to provide for the establishment of a technology zone within the City to provide certain incentives for certain qualified businesses; and dispensing with the second reading by title of this ordinance.

WHEREAS, pursuant to the authority provided by §58.1-3850, Code of Virginia (1950), as amended, City Council is authorized to establish, by ordinance, one or more technology zones; and

WHEREAS, the Council of the City of Roanoke finds that creation of a technology zone will enhance economic development within the City.

THEREFORE BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The Code of the City of Roanoke (1979), as amended, is hereby amended by the addition of a new Chapter 32.1, <u>Technology Zone</u>, which will read and provide as follows:

## CHAPTER 32.1 TECHNOLOGY ZONE

#### §32.1-1. Purpose and intent.

City Council finds that the creation of a local technology zone, with incentives for economic growth, as authorized by §58.1-3850, Code of Virginia (1950), as amended, will foster the development, maintenance and expansion of commercial and industrial businesses engaged in technological research and design and those using technologically advanced products for the benefit of the public health, safety, welfare and convenience through the enhancement of public revenues and the creation of employment opportunities.

#### §32.1-2. Administration.

This chapter shall be administered and enforced by the city manager. The city manager shall promulgate and publish the procedures for obtaining the benefits created by this chapter and shall be further responsible for determining whether a business is a qualified technology business or a qualified zone resident and, when necessary, shall interpret the extent and boundary of the technology zone as set out in §32.1-4 below, which determinations shall be final.

#### §32.3. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings subscribed below, unless clearly indicated to the contrary:

**Base year** means the calendar year preceding the first calendar year a business firm has been certified as a qualified technology business.

Business firm or firm means any corporation, partnership, electing small business (subchapter S) corporation, limited liability company or sole proprietorship authorized to conduct business in the Commonwealth of Virginia. The term "business firm" or "firm" does not include organizations which are exempt from State income tax on all income except unrelated business taxable income as defined in the Internal Revenue Code, §512; nor does it include homeowners associations as defined in the Internal Revenue Code, §528.

Employee of a zone firm means a person who is on the payroll of a firm within the technology zone and who is required to report to work in the technology zone.

Equivalent full-time job position means a position filled by two employees who work a minimum combined total of 35 hours per week to equal one full-time job position, as defined below. Seasonal, temporary, leased or contract labor positions, or positions whose job function is shifted from an existing location in the City to a business firm located in the technology zone, shall not qualify as an equivalent full-time job position.

*Existing business* means one that was actively engaged in the conduct of trade or business in the City prior to an area being designated as a technology zone.

Full-time job position means a position filled by an employee who is employed in such a position for an indefinite duration at a business firm located in a technology zone and is required to work a minimum of thirty-five (35) hours per week for the entire year, in which the normal year must consist of at least forty-eight (48) weeks. Seasonal, temporary, leased or contract labor positions, or positions whose job function is shifted from an existing location in the City to a business firm located in the technology zone, shall not qualify as full-time job positions.

*Grant year* means the calendar year for which a qualified tecdhnology business applies for a technology zone incentive grant.

New investment means the total actual costs spent, excluding interest, for new real property improvements, not including the purchase price of the real property and/or the addition of new business personal property for the firm's business. Provided, however, such real property improvements and additional business personal property must be subject to the City's real estate taxes and business personal property taxes (which includes tangible personal property and/or machinery and tools taxes).

New business means a business not previously conducted in the City and that begins operation in a technology zone after the technology zone is designated.

Qualified technology business means a technology business that has met the qualifications set forth in §32.1-5 of this chapter.

**Qualifying year** means the calendar year a business firm has been certified as a qualifying technology business.

Qualified zone resident means an owner or tenant of real property located in the technology zone that expands, equips, or rehabilitates such property to provide sufficient facilities for the actual operation of a qualified technology business by such owner or tenant within the technology zone.

**Reporting to work** means that the only physical location of the employee's workstation is within the technology zone and the full-time job position requires that the employee physically report to the technology zone workstation on a regular basis.

Technology business means a business firm engaged in the activities of research, design, development, or manufacture of commodities, services or solutions used in factory automation, biotechnology, chemicals, computer hardware, computer software, computer systems, defense, energy, environmental, manufacturing equipment, advanced materials, medical, pharmaceuticals, photonics. subassemblies and components, test and measurement, telecommunications, and transportation. In no case will the use of computers or telecommunication services used by a business or a professional services firm in its administrative operations qualify the business firm as a technology business.

*Telecommunications* shall mean internet, e-mail or similar services, but shall exclude voice telephone and facsimile communications except for the examples listed under the definition of a technology business.

#### §32.1-4 Boundary of Technology Zone.

There is hereby created a local technology zone within the City to be named "The City of Roanoke Technology Zone." The boundaries of the zone are respectively indicated on the official "City of Roanoke Technology Zone Map," filed in the Office of the City Engineer as Official City Plan #6513, and dated September 16, 2002.

#### § 32.1–5. Qualifications.

- (a) Existing Business. For an existing technology business firm to become a qualified technology business the firm must increase its average number of full-time job positions in the technology zone by at least ten percent (10%) over the base year, with any fractional number being rounded to the next whole number. In addition, the firm must make new added capital investment in the technology zone, which new investment will be established by the cost of the new business personal property and/or real estate improvements for the operation of the qualified technology business. The new investment must be at least twenty percent (20%) of the value of the qualified real estate and/or cost of the business personal property established during the base year.
- (b) New Business. For a new technology business firm to become a qualified technology business the firm must create a minimum of three (3) full-time job positions and make a minimum of new capital investment in the technology zone, which investment will be established by the cost of the new business personal property and/or new real estate improvements for the operation of the qualified technology business. The new added capital investment must result in a total new investment of \$30,000 or more and does not include the cost of purchasing any such real estate.
- (c) Existing and New Business Firms. The following requirements shall apply to all firms seeking the incentives provided in this chapter:
  - (i) Firms must be engaged in a technology business.
  - (ii) Increases in new investment and new full-time job positions needed to qualify must occur within the same twelve (12) month period.
  - (iii) The new investment shall be established by the cost of the new business personal property or new real estate improvements for the operation of the qualified technology business as set forth in the definition section. Any such assets owned by a business firm which are moved into a technology zone from another location within the City shall not be included in the increased new investment.

#### §32.1-6. Certification procedure.

- (a) A business firm seeking to become qualified as a technology business under this chapter must make application to the City's Department of Economic Development for initial certification as a qualified technology zone business. All applications shall be submitted annually to the City's Department of Economic Development no later than March 31 of the calendar year following the calendar year in which the business firm met the qualifications established in §32.1-5. Applications must be signed by an official representative of the business firm authorized to sign on the firm's behalf.
- (b) The City's Department of Economic Development will investigate and verify that each applicant is in compliance with the technology zone qualifications.

#### §32.1-7. Technology zone incentive application procedure.

A qualified technology business firm seeking to obtain the benefits provided under §32.1-8 of this chapter must make a second application to the Department of Economic Development prior to June 30 of the grant year. Grant(s) will be processed within ninety (90) days of submission. Technology zone incentive applications received after June 30 will not be eligible to receive technology zone benefits for that grant year. Applications shall indicate the number of full time job positions the firm has and the amount of real estate and business personal property taxes paid by the business firm during the base and qualifying years and shall include copies of paid receipts for all such taxes. In addition, applications shall indicate the amount of telecommunication connection fees paid by the qualified technology business. Applications must be signed by an official representative of the business firm authorized to sign on the firm's behalf.

#### §32.1-8. Technology zone incentives.

(a) Telecommunication Connection Fee Grant (i.e. Fiber Optics, Data). Qualified technology businesses may receive a one time telecommunication connection fee grant, equal to 50 % of the actual costs spent by such business to obtain telecommunication services to its location, but such grant will not exceed \$1,000 per business. A qualified zone resident may also qualify for such a grant if the qualified zone resident can demonstrate that one hundred (100) percent of the cost of the telecommunication connection is to accommodate a qualified technology business actually operating in such resident's facility. Such grants shall be awarded through a grant from the Industrial Development Authority of the City of Roanoke, Virginia (IDA).

#### (b) Capital Investment Grants:

(i) There is hereby established a capital investment grant which may be provided to qualified technology businesses. The grant will be based on the net

increase in the taxes paid on new investment made within the technology zone. The capital investment grant will be calculated on the net qualifying increase in business personal property and real estate taxes actually paid by a qualified technology business. The grant will be equal to fifty (50) percent of the net increase in taxes actually paid by the technology business and which increase resulted from a qualified technology business' new investment in business personal property and/or real estate improvements.

- (ii) Grants will be administered through the Industrial Development Authority of the City of Roanoke, Virginia (IDA). The city manager shall be responsible for requesting appropriations from the City to be made available to the Industrial Development Authority of the City of Roanoke, Virginia (IDA) to meet anticipated grants.
- (iii) Regarding new capital investments acquired through capital leases, taxes paid on such items shall be eligible for the capital investment grant incentives only when the grant recipient has directly paid to the City applicable taxes for such items.
- (iv) For the purpose of calculating incentives, capital investment grants shall be calculated based on tax payments made during the calendar year for which benefits are sought.
- (c) The telecommunication connection fee grant and the capital investment grant set forth above are subject to the appropriation of such funds by City Council.

#### §32.1-9 <u>Nonwaiver</u>.

Unless expressly stated herein, this chapter shall not be construed to waive the requirement of any ordinance, regulation or policy of the City, including, but not limited to, those ordinances, regulations and policies that require permits and approvals for land use and construction. Additionally, nothing in this chapter shall be construed as waiving the right of the City to enforce its ordinances, regulations or policies or to collect any taxes, fees, fines, penalties or interest imposed by law on a qualified technology business or qualified zone resident or upon real or personal property owned or leased by a qualified technology business or qualified zone resident.

#### §32.1-10. Restrictions and Exclusions.

(a) No qualified technology business or qualified zone resident may apply for or receive any incentives under this chapter on the basis of a building permit issued or construction commenced prior to the establishment of the technology zone in which the property lies.

(b) The provisions of this chapter shall not be applicable to any entity that has a performance agreement of any type or an equivalent agreement with the City as of the date of the establishment of the technology zone.

#### § 32.1–11 Zoning Ordinance not affected.

This chapter is an economic development incentive and is not a zoning change. Nothing herein shall be construed to affect any zoning provision or requirement.

#### §32.1–12 Effective dates.

This chapter shall be effective on October 1, 2002, and shall terminate on September 30, 2012, pursuant to the ten-year limitation on local technology zones required by §58.1-3850, Code of Virginia (1950), as amended, unless sooner terminated by Council.

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



### **CITY OF ROANOKE** OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable Nelson C. Harris, Vice Mayor Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Dr. M. Rupert Cutler, Council Member Honorable Linda F. Wyatt, Council Member Honorable William D. Bestpitch, Council Member

Dear Mayor Smith and Members of Council:

Subject:

Donation of Vehicle to Roanoke Emergency Medical Services, Inc. -

Volunteers

#### Background:

Previously, the City donated an out of service 1991 Chevrolet Caprice with over 80,000 miles to be used for administrative support functions of Roanoke Emergency Medical Services, Inc. - volunteers (REMS). Pursuant to an agreement with REMS, maintenance fuel, title, markings and insurance on the vehicle are provided by REMS with the City listed as an additional insured.

REMS is requesting to return the 1991 Chevrolet Caprice to the City in exchange for an out of service 1995 Chevrolet Caprice with over 80,000 miles (unit #048). REMS will provide fuel, maintenance and insurance and will remark and title the vehicle as a REMS vehicle. The 1991 vehicle will be returned to City of Roanoke Fleet for customary disposal of an out of service vehicle. Under the agreement REMS may not dispose of any donated property with out the written agreement of the City.

#### Considerations:

Section 15.2-953 of the Code of Virginia (1950), as amended, allows localities to donate funds, personal property or real estate to organizations such as REMS.

Honorable Mayor and Member of Council September 16, 2002 Page 2

REMS has agreed to accept the 1995 Chevrolet Caprice and will maintain and insure the vehicle.

#### Recommended Action:

City Council approve the attached resolution authorizing the return of the 1991 vehicle and the donation of a 1995 Chevrolet Caprice to REMS, and authorizing the City Manager to sign the title to said vehicle over to REMS. Ownership of the vehicle will revert to the City should REMS cease to do business.

Respectfully submitted,

Darlene L. Burcham City Manager

#### JHP:jhp

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Chief Grigsby, Fire – EMS Department
Sidney Robertson, President REMS

CM02-0204

6.a.3.

(H)

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the donation of a certain City owned vehicle

to Roanoke Emergency Medical Services (REMS), upon certain terms and

conditions; and authorizing the City manager to transfer title of said vehicle to

REMS.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The donation of a City owned 1995 Chevrolet Caprice with over

80,000 miles is hereby made to REMS in accordance with the recommendation

contained in the City Manager's letter to Council dated September 16, 2002.

2. The City Manager is authorized to sign the title to said vehicle over to

REMS subject to the terms and conditions of the agreement between REMS and

the City.

Attest:

City Clerk.



### **CITY OF ROANOKE** OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr. Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

One Time Special Request

Fund for Local Law Enforcement Agencies

Grant

#### Background:

For the past several years police officers in the Crime Prevention Squad have sought funding to implement "Project Lifesaver" whose mission is to assist victims of Alzheimer's disease and related mental dysfunction disorders who become disoriented or lost and who are unable to return themselves home safely. Project Lifesaver uses Geographic Information Systems (GIS) which tracks the lost patient via electronic transmitter and receiver.

During the past ten (10) years the City's efforts to enhance the use of linear space through construction of "greenways" has intensified. With many of the greenways completed or near completion, a concern has arisen for the need for quick access by patrol officers to the most remote part of these sites. Bicycle patrols, horses, and foot officers can access these remote site areas, but they are limited in how quickly their access is and in the amount of assistance they might be able to render. A motorized all-terrain vehicle (ATV) would be able to maneuver on the greenways to provide expedient law enforcement services. Additionally, in conjunction with Project Lifesaver, an ATV would be valuable in

Honorable Mayor and Members of Council September 16, 2002 Page 2

the search and rescue efforts for missing dementia patients in greenways and in remote wooded sites.

The City has been approved for a "One Time Special Request Fund for Local Law Enforcement Agencies" grant award of \$5,000 from the Commonwealth of Virginia Department of Criminal Justice Services for the purchase of electronic transmitter and receiver equipment to address the safety issues of patients in the advanced stages of Alzheimer's disease and for the purchase of an all-terrain vehicle.

#### Recommended Action:

Establish a revenue estimate and appropriate the \$5,000 to Grant Fund accounts to be established by the Director of Finance. Authorize the City Manager to execute any required documents.

Respectfully submitted,

Darlene L. Burcham City Manager

DLB:fjd

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda Johnson, Assistant City Manager
A. L. Gaskins, Chief of Police

CM02-0200



#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

#### **Appropriations**

Public Safety DCJS Project Lifesaver (1)					2,453,139 5,000
Revenues					
Public Safety DCJS Project Lifesaver (2)		•••••		-	2,453,139 5,000
<ol> <li>Expendable Equipment</li> <li>State Grant Receipts</li> </ol>	(035-640-3334-2035) (035-640-3334-3338)	\$	5,000 5,000		

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

(N)

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of the One Time Special Request

Fund for Law Enforcement Agencies by the Commonwealth of Virginia Department of

Criminal Justice and authorizing the execution of any required documentation of behalf

of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the offer made to the city by the

Commonwealth of Virginia Department of Criminal Justice of the One Time Special

Request Fund for Law Enforcement Agencies in the amount of \$5,000, such grant being

more particularly described in the letter of the City Manager, dated September 16, 2002,

upon all the terms, provisions and conditions relating to the receipt of such funds.

2. The City Manager and the City Clerk, are hereby authorized to execute,

seal and attest, respectively, the grant agreement and all necessary documents required to

accept this grant, including any documents providing for indemnification from the City

that may be required for the City's acceptance of this grant, all such documents to be

approved by the City Attorney.

3. The City Manager is further directed to furnish such additional

information as may be required by the Commonwealth of Virginia Department of

Criminal Justice in connection with the City's acceptance of this grant.

ATTEST:

City Clerk



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William H. Carder, Council Member Honorable William D. Bestpitch, Council Member Honorable Linda F. Wyatt, Council Member Honorable Dr. M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member

Dear Mayor Smith and Members of City Council:

Subject: Purchase of Trailer Mounted

Vacuum Leaf Collector Units

Bid No. 02-08-10

#### Background:

The Fiscal Year 2002 – 2003 Resource Allocation Plan has identified the need to purchase new loose-leaf collection equipment and supporting apparatus to replace the existing equipment. Funding was allocated to the Fleet Management Fund for this purpose.

This Council action will allow for the purchase of twelve (12) Trailer Mounted Vacuum Leaf Collector Units to replace the existing units. Specifications were developed and, along with Invitation for Bids, were sent to eleven (11) qualified providers. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

#### Considerations:

The lowest bid by Virginia Public Works Equipment for a Giant-Vac Model 6600 JD-B did not meet specifications. The Giant-Vac machine is not equipped with a PTO safety engagement system that prevents equipment damage during vacuum impeller engagement. Further, it does not meet the specified horsepower rating, clutch size, or

Honorable Mayor and Members of City Council September 16, 2002 Page 2

requested electrical break system and hydraulic boom operation. Three vendors submitted bid packets that declined to bid on these units.

Old Dominion Brush Company's bid of \$176,784.00 for twelve (12) Trailer Mounted Vacuum Leaf Collector Units (Model LCT-650) is the lowest bid that meets all specifications.

#### Recommended Action:

Award the bid for twelve (12) Trailer Mounted Vacuum Leaf Collector Units (Model LCT-650) at a total cost of \$176,784.00, authorize the City's Purchasing Division Manager to issue a purchase order, and authorize the City Manager and the City Clerk to execute and attest, respectively, for and on behalf of the City any required purchase agreements with respect to the afore said equipment and reject all other bids.

Transfer \$15,184 from Fleet Management Account No. 017-440-2642-9010 to the Transportation – Street Maintenance Account No. 001-530-4110-9015 to cover other equipment costs needed to support Loose Leaf Collection apparatus.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB:KHK:gpe

Attachment

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Kenneth King Jr., Transportation Division Manager

Robert H. Bird, Acting Manager, Purchasing

CM02-00210

# Bid Tabulation Bids were received, publicly opened and read at 2:00 p.m., September 3, 2002 For

#### Twelve (12) Trailer Mounted Vacuum Collector Units Bid Number 02-08-10

Vendor	Make	Model	Total Bid		
Virginia Public Works Equipment	Giant-Vac 6600 JD-B	6600 JD-B	169,560.00		
Old Dominion Brush Co. (ODB)	Old Dominion Brush	LCT 650	176,784.00		
Cavalier Equipment Corp.	Responded – No Bid				
J. W. Burress Inc.	Responded – No Bid				
Specialized Saw & Mower	Responded – No Bid				
Industrial Saw & Mower Service Inc.	No response				
Butterfield's OMC	No response				
Gaint-VAC MFG Inc.	No response				

**Bold type** indicates recommended vendor. See report for explanation of recommendation other than low bidder.



#### THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Fleet Management Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General and Fleet Management Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

#### **General Fund**

#### **Appropriations**

Nondepartmental Transfers to Other Funds (1)			69,631,566 68,679,905
Public Works Streets and Traffic (2)			25,649,717 4,069,262
Fleet Management Fund			
Appropriations			
Operating Fleet Management - Capital Ou	ıtlay (3)	\$	7,209,834 4,265,095
Revenues			
Transfer from General Fund (4).		\$	928,002
<ol> <li>Transfers to Fleet         Management Fund</li> <li>Other Equipment</li> <li>Vehicular Equipment</li> </ol>	(001-250-9310-9517) (001-530-4110-9015) (017-440-2642-9010)	•	

4) Transfer from General Fund (017-110-1234-0951) (15,184)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

23 / plan

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the bid of Old Dominion Brush Company, for the purchase of

twelve (12) new Trailer Mounted Vacuum Leaf Collector Units, upon certain terms and conditions;

and rejecting all other bids made for such items.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bid submitted by Old Dominion Brush Company, to furnish twelve (12) new

Trailer Mounted Vacuum Leaf Collector Units (Model LCT-650), at a total cost of \$176,784.00, as

set forth in the letter dated September 16, 2002, from the City Manager to this Council, is hereby

ACCEPTED.

2. The City's Manager of Supply Management is hereby authorized to issue the

requisite purchase orders for the purchase of such equipment, and the City Manager and the City

Clerk are authorized to execute and attest, respectively, for and on behalf of the City, any required

purchase agreements with respect to the aforesaid equipment, such documents to be in form

approved by the City Attorney.

3. Any and all other bids made to the City for the aforesaid items are hereby

REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the

City's appreciation for such bid.

ATTEST:

City Clerk.

R-LeafCollectionUnits091602



# **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Contract Award

Bridge Repairs 2002 Bid No. 02-07-05

This project consists of various repairs to two (2) City bridges, 9<sup>th</sup> Street over Norfolk Southern Railway and 5<sup>th</sup> Street over Norfolk Southern Railway.

After proper advertisement, three bids were received on Tuesday, August 20, 2002, with Lanford Brothers Company, Incorporated, 122 North Commerce Street, Roanoke, Virginia 24019, submitting the low bid in the amount of \$116,630.00. (See attached bid tabulation.) The construction time was specified as sixty (60) consecutive calendar days.

Funding is available in Bridge Maintenance account number 008-052-9549-9003.

#### Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Lanford Brothers Company, Incorporated, in the amount of \$116,630.00, with sixty (60) consecutive calendar days of contract time, and reject all other bids.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB/JGB/na

c: Mary F. Parker, City Clerk William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance Philip C. Schirmer, P.E., L.S., City Engineer

#CM02-00202

# **TABULATION OF BIDS**

# BRIDGE REPAIRS 2002 9<sup>TH</sup> STREET OVER NORFOLK SOUTHERN RAILWAY AND 5<sup>TH</sup> STREET OVER NORFOLK SOUTHERN RAILWAY BID NO. 02-07-05

Bids were opened by Robert H. Bird, Acting Purchasing Manager, on Tuesday, August 20, 2002, at 2:00 p.m.

CONTRACTOR	BID AMOUNT
Lanford Brothers, Company, Incorporated	116,630.00
Pressure Concrete, Inc.	161,958.00
H & S Construction Company	252,475.00

Estimated Cost: \$163,100.00

Office of the City Engineer Roanoke, Virginia August 20, 2002 p.1.

# IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE accepting the bid of Lanford Brothers Company, Incorporated, for making various repairs to two (2) City bridges, 9<sup>th</sup> Street over Norfolk Southern Railway, and 5<sup>th</sup> Street over Norfolk Southern Railway, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

- 1. The bid of Lanford Brothers Company, Incorporated, in the amount of \$116,630.00 for making various repairs to two (2) City bridges, 9<sup>th</sup> Street over Norfolk Southern Railway, and 5<sup>th</sup> Street over Norfolk Southern Railway, as is more particularly set forth in the City Manager's letter dated September 16, 2002, to this Council, such bid being in full compliance with the City's plans and specifications made therefor and as provided in the contract documents offered the bidder, which bid is on file in the Purchasing Division, be and is hereby ACCEPTED.
- 2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contract with the successful bidder, based on its proposal made therefor and the City's specifications made therefor, the contract to be in such form as is approved by the City Attorney, and the cost of the work to be paid for out of funds heretofore or simultaneously appropriated by Council.
- 3. Any and all other bids made to the City for the above work are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

H:\Measures\landford bridge repairs 2002.doc

4.	Pursuant to the provisions of Section 12 of the City Charter, the second reading of this
ordinance by	title is hereby dispensed with.
	ATTEST:
	City Clerk.



# **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr. Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Competitive Negotiations

for Services

### Background:

The City of Roanoke desires the opportunity to consider entering into a contractual agreement with a qualified service provider to operate the Rocwood Indoor Adventure Center located within the Parks and Recreation Administrative Building, 210 Reserve Avenue SW. The center is a multifaceted climbing facility serving residents of Roanoke, and the Roanoke Valley. The facility offers 4000 sq/ft of recreation space including various climbing walls, tower, climbing cave, rappelling station, equipment storeroom and a reception area. The provider would oversee all facets of facility operations and program delivery for all users. Programs may include the following: open session climb, climbing club, birthday party rentals, partnerships with area schools, YMCA, Boy Scouts, churches and special events. The proposed contractual arrangement is designed to maximize efficient and effective use of the Rocwood Indoor Adventure Center for our many users. It is the intention of this agreement to recreate and expand the potential service offerings at this facility while eliminating the subsidy currently associated with its in-house operation.

Honorable Mayor and Members of Council September 16, 2002 Page 2

Although the sealed bid method of procurement could be used, it is not practicable in the above instance. The experience, qualification, and references of firms that can provide the above listed service are of equal, if not greater, importance than the cost. Issues of experience, risk management, and ability to achieve desired outcomes are of critical importance in determining the best possible provider of the required service.

#### Considerations:

The Code of the City of Roanoke provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation". Prior approval by Council is necessary before the alternate method may be used. See City Code Section 23.1-4.1. This method will allow negotiations with two (2) or more providers to determine the best qualified at the most competitive price or rate.

#### Recommended Action:

City Council authorizes the use of competitive negotiation as the method to secure vendors to provide appropriate services as identified in this letter.

Respectfully submitted,

Darlene L. Burcham

City Manager

# Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Jeffrey H. Powell, Director General Services
Robert H. Bird, Acting Purchasing Manager
Rolanda A. Johnson, Assistant City Manage for Community Development
Steven Buschor, Director Parks and Recreation

CM02-00208



### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of a qualified service provider to operate the Rocwood Indoor Adventure Center; and documenting the basis for this determination.

WHEREAS, this Council finds that the use of the procurement method of competitive negotiation for the above mentioned services will allow for consideration of the factors of experience, qualifications, references, customer responsiveness, manpower allocation, financial management and quality of reports as related to the vendor and software design, platform, functionality, reliability and adaptability to interface which are of equal, if not greater, importance than the cost.

WHEREAS, City Council is of the opinion that such services should be procured by competitive negotiation rather than competitive sealed bidding.

THEREFORE, BE IT RESOLVED by this Council of the City of Roanoke as follows:

1. Pursuant to Section 23.1-4 (e), Code of the City of Roanoke, (1979), as amended, this Council finds that the procurement method known as competitive sealed bidding is not practicable and/or is not fiscally advantageous to the public for the reasons set forth above for the procurement of a qualified service provider to operate the Rocwood Indoor Adventure Center.

I:\Rocwood competetitive negot.doc

2. City Council directs that the procurement method known as competitive negotiation shall be used for the procurement of a qualified service provider to operate the Rocwood Indoor Adventure Center, as more fully set forth in the City Manager's Letter to this Council dated September 16, 2002.

3. This Resolution documents the basis for City Council's determination.

ATTEST:

City Clerk



# **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Blue Ridge Behavioral

Healthcare FY 2003 Performance

Contract

# Background:

The 1998 General Assembly passed HB428 which amended and reenacted sections of the Code of Virginia relating to local roles and responsibilities for mental health, mental retardation, and substance abuse services.

Section 37.1-194 of the Code of Virginia, 1950, as amended, requires every locality to establish a community service board to oversee the delivery of mental heath, mental retardation and substance abuse services, and it is further required that the local governing body of a locality approve the Performance Contract.

The City of Roanoke has already established Blue Ridge Behavioral Healthcare pursuant to this statutory provision as the Community Services Board.

Honorable Mayor and Members of City Council September 16, 2002 Page 2

#### Considerations:

Blue Ridge Behavioral Healthcare has submitted the Fiscal Year 2003 Community Services Performance Contract in accordance with the Code of Virginia Title 37.1 to ensure the delivery of publicly funded services and supports to citizens of the Commonwealth with mental illness, mental retardation, or substance abuse. Services are to be directly or by contract through the operating board of the Community Services Board.

Section 37.1-198B. Code of Virginia requires all governing bodies for the localities served by the Community Services Board to approve the Community Services Performance Contract.

#### Recommended Action:

Adopt the attached resolution approving the execution of the Blue Ridge Behavioral Healthcare FY 2003 Performance Contract and authorize the City Manager to execute any required documents to enter into the Performance Contract with the Blue Ridge Behavioral Healthcare Board.

Respectfully submitted,

Darlene L. Burcham

City Manager

#### DLB:tem

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Glenn D. Radcliffe, Director of Human Services
S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare
Roland A. Johnson, Assistant City Manager for Community Development

#CM02-00211

DLO

# IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION approving and authorizing the execution of the Blue Ridge Behavioral Healthcare FY 2003 Performance Contract, upon certain terms and conditions.

WHEREAS, Section 37.1-194 of the Code of Virginia, 1950, as amended, requires every locality to establish a community service board to oversee the delivery of mental health, mental retardation and substance abuse services, and it is further required that the local governing body of a locality approve the Performance Contract; and

WHEREAS, the City of Roanoke has established Blue Ridge Behavioral Healthcare pursuant to this statutory provision.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

- 1. The 2002/03 Performance Contract proposed to be entered into with the Blue Ridge Behavioral Healthcare Board and attached to the City Manager's letter dated September 16, 2002 is hereby APPROVED.
- 2. The City Manager is hereby authorized to execute any and all requisite documents to enter into the Performance Contract with the Blue Ridge Behavioral Healthcare Board.

ATTEST:

City Clerk.



# **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William H. Carder, Council Member Honorable William D. Bestpitch, Council Member Honorable Linda F. Wyatt, Council Member Honorable Dr. M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member

Dear Mayor Smith and Members of City Council:

Subject: Roanoke Passenger Station Appropriation of Funds

### Background:

The Roanoke Passenger Rail Station is presently being redeveloped by the Western Virginia Foundation for the Arts and Sciences (WVFAS) for use by the Roanoke Valley Convention and Visitors Bureau and the O. Winston Link Museum. The City of Roanoke's Capital Improvement Program includes a funding commitment of \$1,500,000 for this project, of which \$250,000 has already been provided to the WVFAS by prior City Council action (Ordinance No. 35170-121800). The balance of \$1,250,000 requires a formal agreement to include certain conditions by which these remaining funds would be provided to the WVFAS. These conditions include the acquisition of matching funds and securing an agreement with the O. Winston Link Estate for display of the O. Winston Link art/photo collection in this renovated facility. Funding would be provided in two equal payments of \$625,000, one to be made this fiscal year (2002-03) and the other in the next fiscal year (2003-04) subject to the satisfaction of the

Honorable Mayor and Members of City Council September 16, 2002 Page 2

conditions of the agreement. Funding appropriation for the first payment is needed at this time, while funding for the second appropriation will be made in FY 03-04.

#### Recommended Action:

City Council appropriate \$625,000 from Capital Projects Fund Interest Earnings to the Roanoke Passenger Station Renovation account (008-530-9900-9003) for disbursement to the WVFAS and authorize the City Manager to execute on behalf of the City of Roanoke the attached agreement with the WVFAS.

Sincerely,

Darlene L. Burcham

City Manager

# DLB/RKB/gpe

#### Attachment

C. Mary F. Parker, City Clerk William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance Robert K. Bengtson, P.E., Director of Public Works

#CM02-0209

# AGREEMENT FOR THE RESTORATION OF HISTORIC PASSENGER RAIL STATION

THIS AGREEMENT, made and executed in triplicate as of this \_\_\_\_ day of \_\_\_\_\_\_, 2002, between the **Western Virginia Foundation for the Arts and Sciences** ("WVFAS") and the **City of Roanoke**, a municipal corporation of the Commonwealth of Virginia ("City").

# WITNESSETH:

WHEREAS, the City has budgeted and allocated \$1,500,000.00 to assist in the restoration and renovation of the Historic Passenger Rail Station, located at 209 Shenandoah Avenue, N.E.;

WHEREAS, the WVFAS has agreed to undertake the restoration and renovation of the Historic Passenger Rail Station and has executed an Agreement dated January 3, 2001, with the City toward that end;

WHEREAS, the City has already contributed \$250,000.00 toward the restoration and renovation of the Historic Passenger Rail Station;

WHEREAS, WVFAS is interested in proceeding on to the next step in the rehabilitation and renovation of the Historic Passenger Rail Station; and

WHEREAS, the City is interested in continuing its support of the rehabilitation and renovation of the Historic Passenger Rail Station.

NOW THEREFORE, FOR AND IN CONSIDERATION of the premises and mutual covenants contained herein, the parties hereto agree as follows:

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- 1. The WVFAS will renovate and rehabilitate the interior of the Historic Passenger Rail Station and will complete such renovation and rehabilitation by December 31, 2003, and receive a permanent certificate of occupancy by that date. Such renovation and rehabilitation shall include raising the floor at the track level to an appropriate height to accommodate future passenger rail service.
- 2. (a) Upon receiving a permanent certificate of occupancy, the WVFAS will dedicate a minimum of fourteen thousand (14,000) square feet of space within the Historic Passenger Rail Station for the display of a minimum of two hundred seventy-five (275) photographic prints taken by O. Winston Link, sound recordings obtained by, and video footage recorded by, O. Winston Link, and O. Winston Link's notebooks, cameras and other equipment, such display to continue after the issuance of the permanent certificate of occupancy for the Historic Passenger Rail Station.
- (b) Upon receiving a permanent certificate of occupancy, the WVFAS will dedicate an additional minimum of 6,700 square feet of space within the Historic Passenger Rail Station to the Convention and Visitors Bureau, or its successor, for ten (10) years after the issuance of the permanent certificate of occupancy for the Historic Passenger Rail Station.
- 3. The City shall, upon receipt from the WVFAS of a request for funds from the City, forward up to \$625,000.00 during the time period of July 1, 2002, until June 30, 2003, and an additional \$625,000.00 during the time period of July 1, 2003, until June 30, 2004. Any request from the WVFAS for funds from the City shall be sent to the City, c/o Robert K. Bengtson, Director of Public Works, 1802 Courtland Road, N. E., Roanoke,

Virginia 24012. Such requests shall be accompanied by evidence of matching funds received by, and not merely pledged, by the WVFAS. At no time shall any of such funds from the City be disbursed to WVFAS unless and until the Director of Public Works has received documentation, such as bank statements, satisfactory to the Director that the WVFAS has obtained unconditional and unqualified matching funds in an amount equal to the disbursement sought. Any matching funds shall not previously have been used to match a grant from the City.

- 4. During the performance of this Agreement, the WVFAS agrees as follows:
  - (a) The WVFAS will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the WVFAS. The WVFAS agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
  - (b) The WVFAS, in all solicitations or advertisements for employees placed by or on behalf of the WVFAS, will state that WVFAS is an equal opportunity employer.
  - (c) Notices, advertisement and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
  - (d) The WVFAS will include the provisions of the foregoing subsections (a) and (b) in every contract or purchase order of over ten thousand dollars and no cents (\$10,000.00) so that the provisions will be binding upon each contractor or vendor.
- 5. During the performance of this Agreement, the WVFAS further agrees that the WVFAS will:
  - (a) provide a drug-free workplace for the WVFAS's employees;

- (b) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the WVFAS's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- (c) state in all solicitations or advertisements for employees placed by or on behalf of the WVFAS that the WVFAS maintains a drug-free workplace; and
- (d) include the provisions of the foregoing clauses in every subcontract or purchase order of over ten thousand dollars and no cents (\$10,000.00), so that the provisions will be binding upon each subcontractor or vendor. For the purpose of this section, "drug-free workplace" means a site for the performance of work done in connection with this contract.
- 6. Pursuant to §2.2-4343.1 of the Code of Virginia (1950), as amended, the City of Roanoke does not discriminate against faith-based organizations.
- 7. This agreement shall be binding upon the parties hereto and their respective successors and assigns. The parties do not intend to confer any benefit on, or permit a claim of any type from, any person or entity not a signatory to this Agreement, and this Agreement shall not be construed so as to create any such third-party beneficiary.
- 8. Nothing herein shall relieve the obligation of WVFAS of its duty to comply with all applicable federal, state or local statutes, codes, ordinances or regulations.
- 9. This Agreement constitutes the entire Agreement of the parties hereto and supersedes all prior negotiations and agreements among the parties. No revision of this Agreement shall be valid unless made in writing and signed by the parties hereto.
- 10. This Agreement shall be governed by the laws of the Commonwealth of Virginia.

11. This Agreement shall be in full force and effect until the Project is complete and all the obligations of the parties have been performed.

IN WITNESS WHEREOF, the City and WVFAS have duly executed this Agreement on the date set out above.

ATTEST:	CITY OF ROANOKE, VIRGINIA
Mary F. Parker, City Clerk	By Darlene L. Burcham, City Manager
ATTEST:	WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES
Secretary	By Title
Approved as to form:	Approved as to execution:
Assistant City Attorney	Assistant City Attorney



# THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

# **Appropriations**

Roanoke Passenger Station Re	enovation (1)		1,863,000
Fund Balance			
Reserved Fund Balance - Unapp Earning (2)			265,311
Appropriated from     General Revenue     Reserved Fund Balance -     Capital Projects Fund	(008-530-9900-9003)	\$ 625,000	
Interest Earnings	(008-3325)	(625,000)	

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to execute, on behalf of the City of Roanoke, an Agreement between the City of Roanoke and Western Virginia Foundation for the Arts and Sciences ("WVFAS").

WHEREAS, the WVFAS is redeveloping the Roanoke Passenger Rail Station for use by the Roanoke Valley Convention and Visitors Bureau and the O. Winston Link Museum;

WHEREAS, the City has budgeted and allocated \$1,500,000.00 to assist in the redevelopment of the Roanoke Passenger Rail Station;

WHEREAS, a formal agreement between the City of Roanoke and WVFAS, containing certain conditions, is required in order for the City to provide the remaining funds to WVFAS; and

WHEREAS, the City is interested in continuing its support of the rehabilitation and renovation of the Historic Passenger Rail Station.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are authorized to execute and attest, respectively, an Agreement between the City and Western Virginia Foundation for the Arts and Sciences, as more fully set forth in the City Manager's letter dated September 16, 2002, to Council.

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2. The Agreement will be substantially similar to the one attached to the above mentioned City Manager's letter, and shall be approved as to form by the City Attorney.

ATTEST:

City Clerk.



# **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Funding for Fifth District
Employment and Training
Consortium – Workforce
Investment Act (WIA) and
Community Development Block
Grant (CDBG) Employment
Training Program

# Background:

The Fifth District Employment and Training Consortium (FDETC) administers the federally funded Workforce Investment Act (WIA) for the region, which encompasses the counties of Alleghany, Botetourt, Craig, Franklin and Roanoke as well as the cities of Covington, Roanoke, and Salem. WIA funding is for two primary client populations:

- dislocated workers who have been laid off from employment through no fault of their own, and
- economically disadvantaged individuals as determined by household income guidelines set up by the U.S. Department of Labor.

The City of Roanoke is the grant recipient and fiscal agent for FDETC funding, thus, City Council must appropriate the funding for all grants and other monies the FDETC receives.

Honorable Mayor and Members of Council September 16, 2002 Page 2

- 1. The FDETC has received an award of \$25,000 from the City of Roanoke Community Development Block Grant Program to provide twelve local businesses with assistance in identifying the occupational skills needed by employees to effectively perform their jobs. The FDETC will also provide individualized job placement services for approximately 50 low to moderate-income persons.
- 2. The FDETC has received a Notice of Obligation (NOO) from the Virginia Employment Commission authorizing Workforce Area 3 to spend \$69,931 for the Adult Program, which serves economically disadvantaged persons and \$93,433 for the Dislocated Worker Program, which serves persons laid off from their job through no fault of their own. The balance of the funding designated for Workforce Area 3 will be authorized on a separate NOO after September 30, 2002.

#### Consideration:

- Program Operations Existing activities will continue and planned programs will be implemented.
- Funding Funds are available from the Grantor agency and other sources as indicated, at no additional cost to the City.
- Timing Immediate action will allow transition activities to be implemented and completed within planned time frames, July 1, 2002 through June 30, 2003.

#### Recommended Action:

Appropriate the FDETC's funding totaling \$188,364 and increase the revenue estimate by \$188,364 in accounts to be established in the Consortium Fund by the Director of Finance.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB:wc

Honorable Mayor and Members of Council September 16, 2002 Page 3

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Glenn D. Radcliffe, Director of Human Services
Rolanda A. Johnson, Assistant City Manager for Community Development

#CM02-00203



# IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Fifth District Employment and Training Consortium Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Fifth District Employment and Training Consortium Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

# **Appropriations**

Fifth District Employment and Training Consortium  Administration (1-6)			4,275,152 54,732 62,938 84,090 25,000
Revenues			
Fifth District Employment and Tra Administration (27) Adult Program (28) Dislocated Worker Program (29) Community Development Block			4,275,152 54,732 62,938 84,090 25,000
<ol> <li>Temporary Employees</li> <li>Wages</li> <li>Fringes</li> <li>Travel</li> <li>Supplies</li> <li>Miscellaneous</li> <li>Communication</li> <li>Wages</li> <li>Fringes</li> <li>Travel</li> <li>Program Communications</li> <li>Program Supplies</li> <li>Program Insurance</li> <li>Program Leases</li> </ol>	(034-633-2300-8049) (034-633-2300-8050) (034-633-2300-8051) (034-633-2300-8052) (034-633-2300-8055) (034-633-2300-8060) (034-633-2361-8053) (034-633-2361-8051) (034-633-2361-8052) (034-633-2361-8055) (034-633-2361-8055) (034-633-2361-8055) (034-633-2361-8057)	3,000 1,000 186 100 12,125 2,850 1,250 250 750	

<ul> <li>15) Miscellaneous</li> <li>16) Support Services</li> <li>17) Training</li> <li>18) Subsidized Wages</li> <li>19) Contractual Services</li> <li>20) Wages</li> <li>21) Fringes</li> <li>22) Communication</li> <li>23) Supplies</li> <li>24) Insurance</li> <li>25) Contractual Services</li> <li>26) Support Services</li> <li>27) Administration</li> <li>28) Adult Program</li> <li>29) Dislocated Worker Program</li> <li>30) Community Development</li> </ul>	(034-633-2361-8060) (034-633-2361-8461) (034-633-2361-8500) (034-633-2361-8502) (034-633-2381-8057) (034-633-2387-8050) (034-633-2387-8051) (034-633-2387-8055) (034-633-2387-8056) (034-633-2387-8057) (034-633-2387-8461) (034-633-2361-2361) (034-633-2381-2381)	\$ 113 8,500 30,000 1,800 84,090 15,146 3,804 500 250 150 1,100 4,050 16,336 62,938 84,090
30) Community Development Block Grant	(034-633-2387-2387)	25,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461 P.O. Box 1220 Roanoke, Virginia 24006-1220 Telephone: (540) 853-2821 Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse\_hall@ci.roanoke.va.us

September 16, 2002

ANN H. SHAWVER

Deputy Director

email: ann\_shawver@ci.roanoke.va.us

The Honorable Ralph K. Smith, Mayor
The Honorable C. Nelson Harris, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable William H. Carder, Council Member
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: Refunding of 1999A and 1999B Bonds

# Background:

The City issued \$26,020,000 of Series 1999A and \$10,100,000 of Series 1999B bonds dated October 15, 1999. The bonds were issued to fund various projects including schools, buildings, storm drains, the Roanoke Higher Education Center, the Johnson and Johnson project and other infrastructure projects. Although the City obtained a favorable overall interest rate for the issue, certain bonds with maturities in outer years carry interest rates of up to 6.0%.

Davenport & Company, LLC, a Richmond, Virginia based Securities Underwriting Firm with a Roanoke office, has proposed to purchase bonds to refund a portion of the 1999 bonds via a negotiated sale.

### Considerations:

Based on recent bond interest rates, the City could potentially realize significant savings by refunding a portion of the 1999 bond series that carry the higher interest rates. Resulting savings would be contingent upon the combination of the interest rate received on the refunding bonds and the interest rate obtained on the Treasury certificates purchased to fund the escrow to be used to pay the current outstanding bonds when those bonds become callable. Based upon discussions with the City's financial advisor, BB&T Capital Markets, we believe an appropriate level of savings to

The Honorable Mayor and Members of Council September 16, 2002 Page 2

justify refunding would be a net present value amount of \$500,000, provided that savings of at least 4% of net present value of the refunded bonds could also be achieved. Since interest rates fluctuate daily, it is imperative to the success of a refunding that the City act quickly once interest rates enable us to achieve an acceptable level of savings. Thus, a negotiated sale versus an open market competitive sale is deemed more practical.

Refunding bonds will be considered additional debt in the context of the City's debt policy and from the rating agencies' perspective only to the extent that a slightly higher level of principal would need to be issued than the amount of 1999 bonds being refunded.

### Recommendation:

We recommend City Council adopt the accompanying resolution authorizing the City Manager and the Director of Finance to issue up to \$22 million in refunding bonds to be purchased by Davenport & Company, LLC, if net present value savings of \$500,000 and a minimum of 4% of the net present value of the refunded bonds can be achieved.

We would be pleased to answer any questions you may have.

Sincerely,

Darlene L. Burcham

City Manager

Jesse A. Hall

Director of Finance

Jam A. Hall

JAH/ca

c: William M. Hackworth, City Attorney

Mary F. Parker, City Clerk

### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED TWENTY-TWO MILLION DOLLARS (\$22,000,000) PRINCIPAL AMOUNT OF CITY OF ROANOKE, VIRGINIA, GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS TO DAVENPORT & COMPANY LLC, AS UNDERWRITER; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH REFUNDING BONDS AND DELEGATING TO THE CITY MANAGER AND THE DIRECTOR OF FINANCE AUTHORITY, AMONG OTHER THINGS, TO EXECUTE AND DELIVER TO SUCH UNDERWRITER A BOND PURCHASE CONTRACT BY AND BETWEEN THE CITY AND TO DETERMINE THE **AGGREGATE** SUCH UNDERWRITER, PRINCIPAL AMOUNT **OF** SUCH REFUNDING BONDS. MATURITY DATES OF SUCH REFUNDING BONDS AND THE PRINCIPAL AMOUNTS OF SUCH REFUNDING BONDS MATURING IN EACH YEAR. THE INTEREST PAYMENT DATES FOR SUCH REFUNDING BONDS AND THE RATES OF INTEREST TO BE BORNE BY SUCH REFUNDING BONDS, THE REDEMPTION PROVISIONS AND REDEMPTION PREMIUMS, IF ANY, APPLICABLE TO SUCH REFUNDING BONDS AND TO APPOINT AN ESCROW AGENT FOR THE BONDS TO BE REFUNDED FROM THE PROCEEDS OF SUCH REFUNDING BONDS; AUTHORIZING THE PREPARATION OF A  $\mathbf{A}\mathbf{N}$ **OFFICIAL** PRELIMINARY OFFICIAL STATEMENT AND **DELIVERY THEREOF** TO **STATEMENT** AND THE UNDERWRITER: AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE RELATING TO SUCH REFUNDING BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT RELATING TO THE REFUNDED BONDS; AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO APPOINT A VERIFICATION AGENT; AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO DESIGNATE THE REFUNDED BONDS FOR REDEMPTION: AND OTHERWISE PROVIDING WITH RESPECT TO THE ISSUANCE, SALE AND DELIVERY OF SUCH REFUNDING BONDS AND THE REFUNDING OF THE REFUNDED BONDS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA:

403183.3 024739 RES

- SECTION 1. (a)(i) Pursuant to Section 47 of the Charter of the City of Roanoke, Virginia (the "City"), an election duly called and held in the City on November 4, 1997, and Ordinances Nos. 33497-072197 and 33498-072197 adopted by this Council on July 27, 1997, there were authorized to be issued, sold and delivered general obligation bonds of the City in the principal amount of \$39,030,000, for the purposes specified in such ordinances.
- (ii) Pursuant to Resolution No. 34476-090799 adopted by this Council on September 7, 1999, the City authorized and approved the issuance and sale of a portion of the general obligation bonds referred to in Section 1(a)(i) hereof, such bonds having been issued in the principal amount of \$26,020,000, designated as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds, Series 1999A" (the "Series 1999A Bonds"), dated October 1, 1999 and maturing in varying principal amounts on October 1 in each of the years 2000 through 2017, both inclusive, and on October 1, 2019.
- (b) (i) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, being the Public Finance Act of 1991 (the "Public Finance Act of 1991"), and Ordinance No 34255-041999 adopted by this Council on April 19, 1999, there were authorized to be issued, sold and delivered general obligation bonds of the City in the principal amount of \$7,600,000, for the purposes specified in such resolution.
- (ii) Pursuant to the Public Finance Act of 1991 and Ordinance No. 34362-062199 adopted by this Council on June 21, 1999, there were authorized to be issued sold and delivered general obligation bonds of the City in the principal amount of \$2,500,000, for the purposes specified in such resolution.
- (iii) Pursuant to Resolution No. 34476-090799 adopted by this Council on September 7, 1999, the City authorized and approved the issuance and sale of the general obligation bonds referred to in Section 1(b)(i) and (ii) hereof, such bonds having been issued in the principal amount of \$10,100,000, designated as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds, Series 1999B (the "Series 1999B Bonds"), dated October 1, 1999 and maturing in varying principal amounts on October 1 in each of the years 2000 through 2017, both inclusive, and on October 1, 2019.
- (c) This Council deems it advisable and in the best interest of the City to authorize and provide for the issuance, sale and delivery of an issue of general obligation public improvement refunding bonds for the purpose of providing for the refunding of all or a portion of \$17,575,000 principal amount of the Series 1999A Bonds maturing on and after October 1, 2010 (the "Refunded 1999A Bonds") and all or a portion of \$1,615,000 principal amount of the Series 1999B Bonds maturing on and after October 1, 2010 (the "Refunded 1999B Bonds"). The Refunded 1999A Bonds and the Refunded 1999B Bonds are hereinafter referred to collectively as the "Refunded Bonds".
- SECTION 2. (a) Pursuant to the Public Finance Act of 1991, including in particular Title 15.2, Chapter 26, Article 5, Section 15.2-2643 *et seq.*, of the Code of Virginia, 1950, for the purpose of providing funds to refund the Refunded Bonds in advance of their stated maturities and to pay the costs of issuance of the Bonds, there are hereby authorized to be issued,

sold and delivered not to exceed Twenty-Two Million Dollars (\$22,000,000) principal amount of general obligation refunding bonds of the City which shall be designated and known as "City of Roanoke, Virginia, General Obligation Public Improvement Refunding Bonds" (referred to herein as the "Bonds").

- (b) The Bonds shall be issued and sold in their entirety at one time, or from time to time in part in series, as shall be determined by the Director of Finance. There shall be added to the designation of the Bonds a series designation determined by the Director of Finance. The Bonds shall be issued in fully registered form in the denomination of \$5,000 each or any integral multiple thereof. The Bonds of a given series shall be numbered from No. R-1 upwards in order of issuance. The Bonds shall bear interest from their date payable on such date and semiannually thereafter as shall be determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof. The Bonds shall be issued in such aggregate principal amount (not exceeding in the aggregate the principal amount specified in Section 2(a) hereof); and shall mature on such dates and in such years (but in no event later than July 1, 2020), and in the principal amount in each such year, determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof. Interest on the Bonds shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.
- (c) The Bonds (or portions thereof in installments of \$5,000) may be made subject to redemption at the option of the City prior to their stated maturities, in whole or in part from time to time on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds or portions thereof in installments of \$5,000 of such maturity to be redeemed shall be selected by lot), upon payment of such redemption prices (expressed as a percentage of the principal amount of the Bonds to be redeemed), together with the interest accrued thereon to the date fixed for the redemption thereof, as shall be determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof.
- If any Bond (or any portion of the principal amount thereof in (d) (i) installments of \$5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of such Bond is to be redeemed, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount thereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner thereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of any Bond shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest thereon shall cease to accrue from and after the date so specified for the redemption thereof.

- (ii) So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee. The City shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.
- SECTION 3. The full faith and credit of the City shall be and is irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, this Council is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the City are not lawfully available and appropriated for such purpose.
- SECTION 4. (a) The Bonds shall be executed, for and on behalf of the City, by the manual or facsimile signatures of the Mayor and City Treasurer of the City and shall have a facsimile of the corporate seal of the City imprinted thereon, attested by the manual or facsimile signature of the City Clerk of the City.
- (b) The Director of Finance is hereby authorized to appoint a Registrar and Paying Agent for the Bonds.
- The Director of Finance shall direct the Registrar to authenticate the (c) Bonds and no Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on each Bond shall have been manually executed by an authorized signator of the Registrar. Upon the authentication of any Bonds the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if a Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the series of Bonds of which such Bond is one; (ii) if a Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date; (iii) if a Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date; and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated. In the event the Bonds of any series shall be dated as of a date other than the first day of a calendar month or the dates on which interest is payable on such series are other than the first days of calendar months, the provisions of this Section 4(c) with regard to the authentication of such Bonds and of Section 9 with regard to the form of such Bonds shall be modified as the Director of Finance shall determine to be necessary or appropriate.
- (d) The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

- SECTION 5. (a) The principal of and premium, if any, and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 5.
- (b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar for such series shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for such purpose the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange, transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.
- (c) The books of registry shall at all times be open for inspection by the City or any duly authorized officer thereof.
- (d) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.
- (e) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized agent, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or by his duly authorized attorney, in form satisfactory to the Registrar.
- (f) All transfers or exchanges pursuant to this Section 5 shall be made without expense to the registered owners of such Bonds, except as otherwise herein provided, and except that the Registrar for such series of Bonds shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 5 shall be cancelled.
- (g) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds, and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.
- (ii) Principal, premium, if any, and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursal to the beneficial owners of the Bonds. Transfers of principal, premium, if any, and interest payments

to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

- (iii) The City will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owner of the Bonds.
- SECTION 6. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the City or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the City, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by a purchaser of any Bonds to accept delivery of and pay for such Bonds. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of the Underwriter (as such term is defined in Section 8(a)).
- (b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the City Clerk, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.
- SECTION 7. The City covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.
- SECTION 8. (a) Pursuant to the authority of and for the purposes specified herein, this Council hereby authorizes the City Manager and the Director of Finance, without further action of this Council, to sell the Refunding Bonds at a negotiated sale to Davenport & Company LLC, as underwriter (the "Underwriter"), on or before February 28, 2003 at a price not less than ninety-five percent (95%) of the principal amount of the Refunding Bonds, plus accrued interest from the date of the Refunding Bonds to the date of delivery thereof and payment therefor; provided, however, that the Refunding Bonds may be sold to the Underwriter only if the refunding of the Refunded Bonds will result in net present value savings to the City of not less than \$500,000 and a net present value savings ratio of not less than four percent (4%), in each case based on the debt service on the Refunded Bonds, and provided further in no event shall the underwriting compensation to the Underwriter exceed three-quarters of one percent (3/4 of 1%) of the principal amount of the Refunding Bonds. This Council hereby further authorizes

the City Manager and the Director of Finance to execute and deliver to the Underwriter a Bond Purchase Contract relating to the sale of the Refunding Bonds by the City to the Underwriter in such form as shall be approved by the City Manager and the Director of Finance upon the advice of counsel (including the City Attorney and Bond Counsel to the City), such approval to be conclusively evidenced by their execution and delivery thereof. The Refunding Bonds shall bear interest at such rates per annum as shall be approved by the City Manager and the Director of Finance; provided, however, in no event shall the true interest rate for the Refunding Bonds exceed five and one-half percent (5 1/2%) and provided further in no event shall the premium payable by the City upon the redemption of the Refunding Bonds exceed two percent (2%) of the principal amount thereof.

- (b) The City Manager and the Director of Finance are hereby authorized to cause to be prepared and deliver to the Underwriter a Preliminary Official Statement and a final Official Statement relating the Refunding Bonds on or before the dates specified in the Bond Purchase Contract. The City Manager and the Director of Finance are hereby further authorized to certify that the Preliminary Official Statement for the Refunding Bonds authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 ("Rule 15c2-12). The Mayor of the City is hereby authorized to execute the final Official Statement on behalf of the City.
- (c) The City Manager and the Director of Finance are hereby authorized to execute and deliver to the purchasers of the Bonds a Continuing Disclosure Certificate relating to the Refunding Bonds evidencing the City's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of Rule 15c2-12 in such form as shall be approved by the City Manager and the Director of Finance upon advice of counsel (including the City Attorney or Bond Counsel), such approval to be conclusively evidenced by their execution and delivery thereof.
- (d) All actions and proceedings heretofore taken by this Council, the City Manager, the Director of Finance and the other officers, employees, agents and attorneys of and for the City in connection with the issuance and sale of the Refunding Bonds are hereby ratified and confirmed.
- SECTION 9. (a) The City Manager and the Director of Finance are hereby authorized to enter into an Escrow Deposit Agreement in the form customarily entered into by the City in connection with advance refunding transactions providing for the redemption of the Refunded Bonds (the "Escrow Deposit Agreement") and to appoint an Escrow Agent to serve under the Escrow Deposit Agreement. The City Manager and the Director of Finance are hereby authorized to appoint a verification agent to verify the mathematical accuracy of computations relating to the Refunding Bonds and the Refunded Bonds.
- (b) The City Manager and the Director of Finance, or either of them, are hereby authorized to execute, on behalf of the City, subscriptions or purchase agreements for the securities to be purchased by the Escrow Agent from moneys deposited in the Escrow Deposit Fund created and established under the Escrow Deposit Agreement. Such securities so

purchased shall be held by the Escrow Agent under and in accordance with the provisions of the Escrow Deposit Agreement.

(c) Subject to the sale and receipt of the proceeds of the Refunding Bonds, the City Manager and the Director of Finance are hereby authorized to designate the Refunded Bonds for redemption on such date or dates as they shall determine and are hereby further authorized to direct the Escrow Agent to cause notices of the redemption of the Refunded Bonds on such date or dates to be given in accordance with the provisions of the proceedings authorizing the issuance of the Refunded Bonds.

SECTION 10. The Refunding Bonds, the certificate of authentication of the Registrar, and the assignment endorsed on the Refunding Bonds, shall be substantially the following forms, respectively, to-wit:

#### UNITED STATES OF AMERICA COMMONWEALTH OF VIRGINIA CITY OF ROANOKE GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BOND SERIES \_\_\_\_

No. K			\$
MATURITY DATE:	INTEREST RATE:	DATE OF BOND:	CUSIP NO:
REGISTERED OWNER:			
PRINCIPAL SUM:			DOLLARS
Commonwealth of Virgin hereby promises to pay to Maturity Date (specified a have been duly called for or provided for), the Princon	LL MEN BY THESE PRI nia (the "City"), for value to the Registered Owner (nabove) (unless this Bond sharperious redemption and peripal Sum (specified above) and semiannually on each after referred to as an "interest date next preceding the dates such date of authentication that date, or unless such date to the last day of the cal	received, acknowledges its amed above), or registered all be subject to prior redepayment of the redemption of and to pay interest on sugard est payment date"), from the of authentication hereofor is an interest payment date of authentication is within	self indebted and d assigns, on the emption and shall price duly made ch Principal Sum thereafter he date hereof or to which interest ate, in which case the period from

be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by check mailed by the Paying Agent hereinafter mentioned to the Registered Owner in whose name this Bond is registered upon the books of registry, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date. Interest on this Bond shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of and premium, if any, on and surrender hereof, at the office of	, as the Principal of and in any coin or currency of the United
This Bond is one of a series of Bonds of li as to number, interest rate and maturity, and is issued refund in advance of their stated maturities certain general heretofore issued by the City to pay the costs of public in This Bond is issued under and pursuant to and in full statutes of the Commonwealth of Virginia, including Cl Virginia, 1950 (the same being the Public Finance Act proceedings of the Council of the City duly adopted and 1991.	for the purpose of providing funds to all obligation public improvement bonds approvement projects of and for the City. compliance with the Constitution and hapter 26 of Title 15.2 of the Code of the tof 1991), and a resolution and other
The Bonds of the series of which this installments of \$5,000) maturing on and after the option of the City prior to their stated maturities, or whole or in part from time to time on any date, in such of (except that if at any time less than all of the Bond redemption, the particular Bonds or portions thereof in inside the redeemed shall be selected by lot), upon payment (expressed as a percentage of the principal amount of the the interest accrued thereon to the date fixed for the redem	are subject to redemption at n or after in order as may be determined by the City ls of a given maturity are called for stallments of \$5,000 of such maturity to t of the following redemption prices a Bonds to be redeemed), together with
Redemption Dates (Both Dates Inclusive)	Redemption Prices (Percentages of Principal Amount)
, to, , to, , and thereafter	%
[The Bonds of the series of which this I are subject to mandatory sinking fund redemption thereafter and to payment at maturity o amounts in each year set forth below, in the case of re-	n on and on each n, in the principal

Bonds or portions thereof to be redeemed to be selected by lot, upon payment of the principal amount of the Bonds to be redeemed, together with the interest accrued on the principal amount to be redeemed to the date fixed for the redemption thereof:

Year Principal Amount

The City, at its option, may credit against such mandatory sinking fund redemption requirement the principal amount of any Bonds maturing on \_\_\_\_\_\_, \_\_\_\_ which have been purchased and cancelled by the City or which have been redeemed and not theretofore applied as a credit against such mandatory sinking fund redemption requirement.]

If this Bond is redeemable and this Bond (or any portion of the principal amount hereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of this Bond (or the portion of the principal amount hereof to be redeemed) shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, this Bond may be exchanged at the office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the same series, interest rate and maturity. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, on the books of registry kept by the Registrar for such purpose at the office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount, series, interest rate and maturity as the Bond surrendered, will be issued to the transferee in exchange herefor.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by the Registrar.

The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Council of the City is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay the principal of and premium, if any, and interest on this Bond to the extent other funds of the City are not lawfully available and appropriated for such purpose.

It is certified, recited and declared that all acts, conditions and things required to exist, happen or be performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the City does not exceed any limitation of indebtedness prescribed by the Constitution or statutes of the Commonwealth of Virginia or the Charter of the City.

IN WITNESS WHEREOF, the City manual or facsimile signatures of its Mayor and its seal of the City to be imprinted hereon attested by	•
Clerk of the City; and this Bond to be dated as of the	· · · · · · · · · · · · · · · · · · ·
	CITY OF ROANOKE, VIRGINIA
[SEAL]	Mayor
Attest:	City Treasurer
City Clerk	

## CERTIFICATE OF AUTHENTICATION

	This	Bond is or	ne of the Bo	onds	delivered pur	suant to	the wit	thin-mentic	oned
proceedings.									
			[					],	
				as R	Registrar				
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					Authorized S	Signator			
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transfer(s) un					-	-	, ,		
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	О	THER IDE	NTIFYING	NUM	IBER OF TR	ANSFE	REE		
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the within Bond and all rights thereunder, h	ereby irrevocably constituting and appointing , Attorney, to transfer such Bond
on the books kept for the registration thereof, wit Dated:	th full power of substitution in the premises.
(Signature of Registered Owner)	(Signature of Registered Owner)
NOTICE: Signature(s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company	NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.
Resolution, certified by such City Clerk to be a	is hereby directed to file a copy of this true copy hereof, with the Circuit Court of the with Section 15.2-2607 of the Code of Virginia,
SECTION 12. All ordinances, are, to the extent of such conflict, repealed.	resolutions and proceedings in conflict herewith
	ATTEST:
	City Clerk.

# ROANOKE CITY SCHOOL BOARD P. O. Box 13145, Roanoke, VA 24031 Office: 540-853-2381 ★ Fax: 540-853-2951

September 16, 2002

The Honorable Ralph K. Smith, Mayor and Members of Roanoke City Council Roanoke, VA 24011

Dear Members of Council:

As the result of official School Board action at its September 10 meeting, the Board respectfully requests City Council to approve the following appropriations:

- \$699,916.00 from the Capital Maintenance and Equipment Replacement Fund. The monies will be used to fund instructional and administrative technology requests, school bus replacement, facility maintenance requirements, district-wide physical education equipment, grounds services equipment, facility improvements for handicap access, the repair of roofs at several schools, and the replacement of food service equipment.
- \$335,262.00 for the Smaller Learning Communities program at Patrick Henry High School. The monies will provide training of staff and the establishment of smaller student learning communities within the high school. This new program will be reimbursed one hundred percent by federal funds.
- \$37,906.00 for the Smaller Learning Communities program at William Fleming High School. The monies will provide training of staff and the establishment of smaller student learning communities within the high school. This new program will be reimbursed one hundred percent by federal funds.

Members of Council Page 2 September 16, 2002

- \$2,700.00 for the Academic Challenge/Capital One program to provide additional support for the four schools participating in the program. A corporate donation has been received for this new program.
- \$108,367.00 for the Title I School Improvement program at Roanoke Academy for Mathematics and Science. The program will aid the division in its effort to provide strategies to increase student learning at low-performing schools, and will help fund the opportunity for students to choose a higher-performing school as an alternative. This new program will be reimbursed one hundred percent by federal funds.

Thank you for your attention to this request.

Sincerely,

Cindy H. Lee, Clerk

re

cc: Mrs. Gloria P. Manns Dr. E. Wayne Harris Mr. Richard L. Kelley

Mr. Kenneth F. Mundy

Mr. William L. Murray

Mrs. Darlene Burcham

Mr. William M. Hackworth

Mr. Jesse A. Hall

Mrs. Ann H. Shawver (with

accounting details)



### CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461 P.O. Box 1220 Roanoke, Virginia 24006-1220 Telephone: (540) 853-2821 Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse\_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann\_shawver@ci.roanoke.va.us

September 16, 2002

The Honorable Ralph K. Smith, Mayor
The Honorable C. Nelson Harris, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable William H. Carder, Council Member
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

\$699,916 from the Capital Maintenance and Equipment Replacement Fund. The monies will be used to fund instructional and administrative technology requests, school bus replacement, facility maintenance requirements, district-wide physical education equipment, grounds services equipment, facility improvements for handicap access, the repair of roofs at several schools, and the replacement of food service equipment.

\$335,262 for the Smaller Learning Communities program at Patrick Henry High School. The monies will provide training of staff and the establishment of smaller student learning communities within the high school. This new program will be reimbursed one hundred percent by federal funds.

\$37,906 for the Smaller Learning Communities program at William Fleming High School. The monies will provide training of staff and the establishment of smaller student learning communities within the high school. This new program will be reimbursed one hundred percent by federal funds.

\$2,700 for the Academic Challenge/Capital One program to provide additional support for the four schools participating in the program. A corporate donation has been received for this new program.

Honorable Mayor and Members of City Council September 16, 2002

Page 2

\$108,367 for the Title I School Improvement program at Roanoke Academy for Mathematics and Science. The program will aid the division in its effort to provide strategies to increase student learning at low-performing schools, and will help fund the opportunity for students to choose a higher-performing school as an alternative. This new program will be reimbursed one hundred percent by federal funds.

I recommend that you concur with this report of the School Board.

Sincerely,

Jesse A. Hall

**Director of Finance** 

Jem A. Hall

JAH/ctg

c: Darlene L. Burcham, City Manager William M. Hackworth, City Attorney

Mary F. Parker, City Clerk

E. Wayne Harris, Superintendent of City Schools

#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General, School, and School Food Services Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General, School, and School Food Services Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

#### **General Fund**

#### **Appropriations**

Nondepartmental Transfer to School Fund (1)		70,338,561 47,408,556
Fund Balance		
Reserved for CMERP - Schools (2)	. \$	31,719
School Fund		
Appropriations		

Education	\$145,482,620
Title I School Improvement - Roanoke Academy 2002-03 (3-10)	108,367
Academic Challenge/Capital One 2002-03 (11)	2,700
Smaller Learning Community -	
Patrick Henry High School 2002-05 (12-22)	. 335,262
Smaller Learning Community -	
William Fleming High School 2002-03 (23-28)	. 37,906
Facilities (29-36)	. 1,644,098

#### Revenues

Education	\$144,790,809
Title I School Improvement - Roanoke Academy 2002-03 (37)	. 108,367
Academic Challenge/Capital One 2002-03 (38)	. 2,700
Smaller Learning Community -	
Patrick Henry High School 2002-05 (39)	. 335,262
Smaller Learning Community -	
William Fleming High School 2002-03 (40)	. 37,906

Nonoperating Transfer from General Fund (41	l)		47,508,556 47,408,556
School Food Services Fund			
<u>Appropriations</u>			
Education Facilities (42)		\$	4,536,552 8,105
Fund Balance			
Fund Balance - Unappropriated	(43)	\$	281,343
<ol> <li>Transfer to School Fund</li> <li>Reserved for CMERP-</li> </ol>	(001-250-9310-9530)	\$ 691,811	
Schools 3) Teacher Stipends 4) Professional Development 5) Instructional Assistants 6) Social Security 7) Transportation of Pupils 8) Parental Involvement 9) Other Charges 10) Instructional Supplies 11) Materials and Supplies 12) Teacher Stipends 13) Extended Contract/ Extra Duties 14) Social Security 15) State Retirement 16) Health Insurance 17) Indirect Costs 18) Contracted Services 19) Travel 20) Evaluation Services 21) Supplies 22) Stipends 23) Extended Contract/ Extra Duties 24) Social Security	(001-3324) (030-061-6197-6000-0121) (030-061-6197-6000-0129) (030-061-6197-6000-0201) (030-061-6197-6000-0583) (030-061-6197-6000-0585) (030-061-6197-6000-0586) (030-061-6197-6000-0614) (030-061-6610-6102-0614) (030-062-6330-6100-0121) (030-062-6330-6100-0201) (030-062-6330-6100-0202) (030-062-6330-6100-0202) (030-062-6330-6100-0212) (030-062-6330-6100-0554) (030-062-6330-6100-0554) (030-062-6330-6100-0554) (030-062-6330-6100-0615) (030-062-6331-6100-0615)	(691,811) 47,520 2,000 20,196 5,181 21,470 1,500 3,000 7,500 2,700 57,500 87,138 20,923 2,428 3,380 3,870 36,900 13,023 45,000 56,100 9,000 23,843 6,199	
<ul><li>25) Indirect Costs</li><li>26) Travel</li><li>27) Supplies</li><li>28) Stipends</li></ul>	(030-062-6331-6100-0212) (030-062-6331-6100-0554) (030-062-6331-6100-0614) (030-062-6331-6100-0615)	407 2,570 1,270 3,617	

•	Instructional Technology Equipment	(030-065-6006-6302-0806)	\$ 143,747
30)	Administrative Technology Equipment	(030-065-6006-6302-0806)	14,250
·	Replacement of School Buses	(030-065-6006-6676-0808)	112,344
•	Facility Maintenance Equipment	(030-065-6006-6681-0821)	323,638
,	Physical Education Equipment	(030-065-6006-6682-0829)	5,863
Ť	Grounds Services Equipment	(030-065-6006-6682-0829)	36,000
	Handicap Access	(030-065-6006-6896-0829)	7,929
•	Roof Repairs Federal Grant Receipts	(030-065-6006-6896-0809) (030-061-6197-1102)	48,040 108,367
•	Donations	(030-061-6610-1103)	2,700
•	Federal Grant Receipts	(030-062-6330-1102)	335,262
,	Federal Grant Receipts	(030-062-6331-1102)	37,906
•	Transfer from General Fund Food Sarving Vehicle	(030-060-6000-1037)	691,811
	Food Service Vehicle Replacement Fund Balance -	(032-065-6006-6788-0824)	8,105
,,,,	Unappropriated	(032-3325)	(8,105)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice-Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council

Subject:

Capital Maintenance and

Equipment Replacement Program

(CMERP)

#### Background:

Section 2-189. of the City Code establishes a reserve from the year-end general fund balance for the funding of capital improvements and capital maintenance and equipment replacement. The amount reserved from the undesignated fund balance is calculated as ten (10) percent of total general fund appropriations less any sums paid for general fund debt service during the fiscal year.

The Fiscal Year 2001-02 General Fund annual designation for CMERP is \$3,229,149. In addition, \$100,000 remains unspent from Fiscal Year 2000-01 CMERP, resulting in a total available for appropriation for the CMERP program of \$3,329,149.

In fiscal year 2002, the City changed its period of availability under modified accrual accounting to recognize revenue receivables at June 30 and received within sixty days of year end. This resulted in a one-time restatement of fund balance in the amount of \$1,753,440, which resulted in total FY 2002 CMERP available to the City of \$4,982,589. Additional funding

Honorable Mayor and Members of Council September 16, 2002 Page 2

of \$308,974 resulting from the residual equity transfer from closing of the Materials Control fund is also available. This remaining balance is a result of a significant retained earnings balance built over several years by the Materials Control Fund overhead rate. The total of these two one-time funding sources is \$2,062,414, bringing the total funding available for appropriation to \$5,391,563. In response to concerns stated by City Council at the August 5, 2002 CMERP briefing, it is recommended that these additional one-time funds be appropriated to a reserve account, and not expended at this time, in anticipation of possible budget adjustments that may be necessary due to downward adjustments in state revenue forecasts.

#### Considerations:

A list of CMERP funding recommendations is attached (Attachment 1). In accordance with the priorities shared with Council in a the "Budgeting for Capital Needs" memo dated August 20, 2002, the recommended CMERP spending plan addresses the following categories:

•	Required Contributions	\$	349,127
•	Capital Projects		956,500
•	Fixed Asset Maintenance		559,056
•	Technology Upgrades		400,000
•	Vehicular Replacements		275,000
•	Operational Equipment and Furniture		789,466
•	Reserve Funds	2	,062,414
To	otal	\$5	,391,563

Department CMERP funding requests totaled approximately \$14.3 million in non-technology and non-vehicular related items/initiatives. Requests for technology related items/initiatives totaled an additional \$2.3 million. Technology requests are reviewed and prioritized by the Information Technology Committee, and a separate report on Council's agenda recommends appropriation of funds for technology needs.

All vehicular requests are reviewed by the Fleet Management Division Manager and evaluated based upon an approved set of replacement criteria. In addition to qualifying under the recently approved replacement criteria policy, each vehicle will be evaluated on its utilization and standard usage. A utilization policy and standard usage policy are currently under development and are scheduled for completion by the end of the calendar year.

A preliminary evaluation of the City fleet based on replacement criteria identified \$2.9 million in vehicles to be replaced or purchased in fiscal year 2003. Cash funding of \$1,500,000 is

Honorable Mayor and Members of Council September 16, 2002 Page 3

available, leaving a balance of approximately \$1,400,000 to fund through capital lease financing. This would be the third year of the fleet lease program. The capital lease funding option will be re-evaluated after considering the impact of State budget cuts on the City budget and a final recommendation as to fleet purchases will be presented to City Council later in the fiscal year.

#### Recommended Action:

City Council concur with the CMERP funding recommendations and appropriate funding to the proper accounts as detailed on the attachment.

Respectfully submitted,

Darlene L. Burcham

City Manager

Attachment

DLB:acm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget

CM02-00213

#### **Attachment 1**

#### **Capital Maintenance and Equipment Replacement Program (CMERP)**

#### Recommended Expenditures - Justification

#### **Required Contributions - \$349,127**

- 1. <u>Grandin Theater \$80,000</u> Funding will be utilized to fulfill the City's obligation to the Grandin Theater revitalization.
- 2. <u>Virginia Western Community College \$50,855</u> This funding will serve as the second of two installments and will provide for the site development costs for the construction of a facilities management building on the college campus.
- 3. <u>Camp Jaycees \$10,000</u> This is the third of five installments of pledge payments given to the Dare to Care Capital Campaign. This funding will be used to serve persons with mental handicaps.
- **4.** <u>Center in the Square \$77,000</u> This funding will provide the first of two installments to replace the Center's roof.
- 5. <u>City Council Plaques \$10,000</u> This funding will provide necessary amount for Downtown Historic Building plaques.
- **6.** <u>Higher Education Center Front Doors \$21,272 –</u> Funding will be used to repair entrance doors to the facility due to weather damage.
- 7. <u>Management and Budget Grant Matching Funds \$100,000</u> Funds are needed to provide matching amounts for grant applications being submitted by various departments.

#### Capital Projects - \$956,500

- 1. <u>Capital Improvement Reserve \$600,000</u> This funding will serve to provide additional funding to "cash fund" priority capital improvements to the extent possible in lieu of long-term debt financing. Includes funding for the Regional Branding Initiative that will be utilized to pay for the services of an international branding consultant.
- 2. <u>Civic Facilities Ice Plant \$200,000</u> A new ice plant will be purchased to allow for the manufacture of ice for hockey games and ice shows. The total cost of \$525,000 includes demolition and installation of new equipment, design of plant, and development of bid specs by a specialized consultant for ice systems. The Civic Facilities Fund will cost share this project with \$325,000 in retained earnings.

- 3. <u>Engineering Market Building HVAC \$130,000</u> This funding will be used to install a temporary repair to the current system and finance a study of the most appropriate permanent repair to be done.
- **4.** Police Additional funding for memorial statue \$26,500 This funding will be utilized to complete the necessary funding for a memorial for Roanoke City police officers.

#### Fixed Asset Maintenance - \$559,056

- 1. <u>Human Services Doors for 2 entrances into Sanctuary \$8,876</u> This funding will be used to replace two entry doors with heavy duty frames and will provide adequate security for residents.
- 2. <u>Building Maintenance/Parks & Recreation Asbestos abatement \$15,000</u> The Parks & Recreation Main Building will undergo the abatement of asbestos insulated piping in the garage and boiler room on the west end of the building.
- **3.** Building Condition Assessment Program Phase II \$11,300 This funding will support the on-going building condition assessment study now being conducted for every major facility to determine a sufficient appropriation for annual maintenance work.
- **4.** <u>Municipal South Replace 2 elevators \$150,000</u> This funding will be utilized to replace two 30+ year old elevators with up-to-date units.
- **5.** Elmwood Park Stage Improvements \$15,000 Funding will be utilized to make necessary improvements to the stage for Easter Seals concerts.
- **6.** <u>Commonwealth Building Roof Flashing \$24,800</u> This funding will be used to replace worn roof flashing on the building.
- 7. <u>Municipal South Window Caulking \$25,000</u> This funding will be utilized to caulk the exterior windows on the north side of the building.
- **8.** Economic Development Parking Garage Repairs \$115,000 This funding will be utilized, with revenue realized from the parking garages, to make necessary repairs.
- 9. Paving Additional Paving \$194,080 This funding will be used to assist in funding the 57 lane-mile paving program.

#### Technology Upgrades - \$400,000

1. <u>Technology - \$400,000</u> – Funding will be used to provide for a variety of technology-related projects that have been prioritized by the Information Technology Committee and will be shared with City Council in a future communication. CMERP funding in the amount of \$400,000 will be combined with the Technology Fund Retained Earnings of \$983,517 for a total budget of \$1,383,517. This amount will fully fund the recommended technology initiatives for the next fiscal year. A separate report will appropriate this funding.

#### Vehicular Replacement - \$275,000

1. Fleet Replacement – \$275,000 – The Fleet Replacement program will recommend the replacement/acquisition of vehicles based on approved evaluation criteria through a combination of cash funding and lease financing. CMERP funds in the amount of \$275,000 and Fleet Management funds designated for fleet replacement in the amount of \$1,225,000 will be combined with a capital lease not to exceed \$1,500,000 for a approximate total of \$2,900,000 to purchase recommended vehicles. A detailed listing of such vehicles will be presented for City Council review at a later date.

#### Operational Equipment - \$789,466

1. <u>Library – Security Camera System – \$13,925</u> – Pursuant to a June 2002 recommendation from City of Roanoke Police and State police, the funding will secure the purchase and installation of a security camera system in the main library to curtail the theft of vending machine monies.

#### 2. Police

- **Mobile Vision System 7 in-car system \$125,850** This funding will be used to purchase thirty (30) systems to be installed in police vehicles participating in traffic stops, pursuits, surveillance situations, and for audio recording where the officer is out of camera visibility but not out of audio range.
- **b.** <u>Kustom Signals Golden Eagle RADAR Units \$3,466</u> Two (2) older radar units will be replaced with new units in unmarked Police vehicles.

#### 3. Parks & Recreation

- **a.** Carvins Cove Natural Reserve Operation and Improvement \$15,000 As directed within the Carvins Cove Land Use Plan, this funding will be used to address issues and needs related to the Cove's trail system (signage system, volunteer tools, prefab tool storage, trail and trailhead building materials).
- **b.** Rear Mount Boom Mower \$12,000 These funds will purchase a mower to service steep banks located within city parks.
- c. <u>Mobile Utility Trailer \$9,000</u> Funds will be used to purchase a trailer for transporting equipment to and from events. It will also be used for community education and outreach activities for populations that cannot attend the Community Centers.

#### 4. Fire-EMS

- **a.** <u>Self Contained Breathing Apparatus (SCBA) System \$542,725</u> This funding will be utilized to replace our current 25+ year old system.
- **b.** EKG Monitor/Defibrillator \$60,500 This amount plus the anticipated matching grant funds will purchase eleven (11) monitor/defibrillators to replace equipment which is 13+ years old and in need of replacement.
- **5.** Housing & Neighborhood Services Workstation furniture \$5,500 Funding will be utilized to purchase two workstations.
- **6.** <u>Citizen Service Center Workstation \$1,500</u> The funding will be utilized to purchase one workstation to provide workspace for an additional employee in the current space.

<u>Reserve Funds - \$2,062,414</u> – Additional funding of \$1,753,440 as a result of implementation of GASB 33 and the Materials Control Fund retained earnings balance of \$308,974.

Total - \$5,391,563

#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General, Civic Center, Parking, Capital Projects, and Fleet Management Funds Appropriations dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General, Civic Center, Parking, Capital Projects, and Fleet Management Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

#### **General Fund**

Public Safety Fire Operations (1) Police Patrol (2)	47,062,810 12,320,408 9,423,114
Public Works Building Maintenance (3) Transportation-Street Paving (4). Parks (5)	24,863,352 3,831,286 2,624,290 2,929,772
Parks, Recreation and Cultural Libraries (6)	\$ 4,810,029 2,269,455
Community Development Memberships and Affiliations (7-10) Citizens Service Center (11) Housing and Neighborhood Services (12)	5,465,283 2,195,592 94,370 1,044,983
Nondepartmental Transfers to Other Funds (13-17) Contingency (18)	73,406,964 70,392,889 1,483,051
Fund Balance	
Reserved Fund Balance Reserved for CMERP-City (19) Residual Equity Transfer (20)	\$ -0-

## **Civic Center Fund**

Capital Outlay New Ice Plant (21)	\$ 4,827,500 200,000
Revenues	
Nonoperating Transfer from General Fund (22)	1,390,185 1,155,630
Parking Fund	
<u>Appropriations</u>	
Operations Market Square Parking Garage (23)	\$ 2,556,421 274,019
Revenues	
Nonoperating Transfer from General Fund (24)	\$ 145,450 145,450
Capital Projects Fund	
Appropriations	
Community Development Grandin Theater (25)  Downtown Historic Building Plaques (26)  Police Memorial (27)	6,332,643 180,000 10,000 96,500
General Government Building Inspection Program (28) Replace Municipal South Elevators (29) Market Building Improvements (30)	13,171,005 151,300 150,000 173,121
Capital Improvement Reserve Capital Improvement Reserve (31-32)	8,328,963 1,239,046
Revenues	
Nonoperating Transfer from General Fund (33)	1,765,440 1,765,440

## Fleet Management Fund

Operating Fleet Management-Capital Outlay (34)			\$ 7,500,018 4,555,279
Revenues			
Nonoperating Transfer from General Fund (35).			\$ 1,204,520 1,194,520
CMERP-Equipment     Purchase     CMERP Equipment	(001-520-3213-9132)	\$ 603,225	
CMERP-Equipment     Purchase     CMERP-Equipment	(001-640-3113-9132)	129,316	
Purchase 4) CMERP-Equipment	(001-440-4330-9132)	88,676	
Purchase 5) CMERP-Equipment	(001-530-4120-9132)	194,081	
Purchase 6) CMERP-Equipment	(001-620-4340-9132)	36,000	
Purchase	(001-650-7310-9132)	13,925	
7) Camp-VA Jaycee	(001-300-7220-3693)	10,000	
8) VWCC	(001-300-7220-3710)	50,855	
9) Center in the Square Roof	(001-300-7220-3813)	77,000	
10) Higher Education Center	(66. 666. 226 66.6)	17,000	
Doors	(001-300-7220-3814)	21,272	
11) CMERP-Equipment	(001 000 1220 0011)	21,212	
Purchase	(001-615-8112-9132)	1,500	
12) CMERP-Equipment	(001-013-0112-9132)	1,500	
Purchase	(001-615-8113-9132)	5,500	
13) Transfer to Civic Center Fund	(001-250-9310-9505)	200,000	
14) Transfer to Civic Center 1 und	(001-250-9310-9507)	115,000	
,	(001-230-9310-9307)	113,000	
15) Transfer to Capital Projects Fund	(001-250-9310-9508)	1,007,800	
16) Transfer to Fleet	(001-230-9310-9308)	1,007,000	
•	(001 250 0210 0517)	275 000	
Management Fund	(001-250-9310-9517) (001-250-9310-9535)	275,000 100,000	
17) Transfer to Grant Fund	•	•	
18) Reserve Account	(001-300-9410-2197)	2,062,414	
19) Reserved for CMERP-City	(001-3323)	(4,682,590)	
<ul><li>20) Residual Equity Transfer</li><li>21) CMERP- Equipment</li></ul>	(001-3337)	( 308,974)	
Purchase	(005-550-8622-9132)	200,000	
22) Transfer From General Fund	(005-110-1234-0951)	200,000	
23) Maintenance-Buildings	(007-540-8215-2050)	115,000	
24) Transfer From General Fund	(007-110-1234-1037)	115,000	
25) CMERP-Equipment Purchase	(008-310-9737-9132)	80,000	

26) CMERP-Equipment		
Purchase	(008-310-9793-9132)	\$ 10,000
27) CMERP-Equipment		
Purchase	(008-640-9902-9132)	26,500
28) CMERP-Equipment		
Purchase	(008-052-9724-9132)	11,300
29) CMERP-Equipment		
Purchase	(008-530-9792-9132)	150,000
30) CMERP-Equipment		
Purchase	(008-530-9767-9132)	130,000
31) Buildings and Structures	(008-052-9575-9173)	300,000
32) Economic Development	(008-052-9575-9178)	300,000
33) Transfer From General Fund	(008-110-1234-1037)	1,007,800
34) CMERP-Equipment	(017-440-2642-9132)	275,000
Purchase		
35) Transfer From General Fund	(017-110-1234-0951)	275,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## **CITY OF ROANOKE**OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

September 16, 2002

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Fund Appropriations from Capital Maintenance and Equipment Replacement Program and Prior Year Retained Earnings for Technology Needs

In a report dated September 16, 2002, City Council was asked to approve a recommendation that \$400,000 of the Fiscal Year 2001-02 General Fund balance designated for the Capital Maintenance and Equipment Replacement Program be allocated for technology needs. In addition, the Department of Technology, an internal service fund, has retained earnings available for appropriation of \$1,000,000 that can be allocated for current technology needs, for a total of \$1,400,000.

The Information Technology Committee (ITC) has completed an Information Technology Strategic Plan for the City and has developed a list of priority projects and equipment needs that have been determined to be supportive in meeting the goals of this plan.

One key area of progress under the strategic plan is the PC Replacement Program. Since the program began in 2001, more than 600 PCs have been replaced. Our goal is to replace another 250 units this year. As we progress with our replacements, retired equipment is being re-used where less powerful PCs are appropriate.

Another key project in this year's plan is the upgrade of the mainframe operating system. This software improvement will provide opportunities to enhance support of mainframe applications and improve integration of financial applications.

Attachment 1 provides supporting detail and cost information for each of these needs – total cost of these strategic technology initiatives is \$1,400,000. All items listed will be purchased in accordance with the requirements as set forth in Chapter 23.1, Procurement, of the Code of the City of Roanoke (1979), as amended.

Honorable Mayor and Members of Council September 16, 2002 Page 2

#### Recommended Action(s):

City Council adopt the attached budget ordinance to appropriate funding to new or existing project accounts to be established by the Director of Finance to support strategic technology needs and enhancements.

Respectfully submitted,

Darlene L. Burcham City Manager

DLB:jds

#### **Attachments**

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, P.E., L.S., City Engineer
Joe D. Slone, Director of Technology
Barry L. Key, Director of Management and Budget
Robert H. Bird, Acting Manager, Purchasing Department

#CM02-00212

# Information Technology Committee **2002-2003 Funding Recommendations** (Total: \$1,400,000)

		Funding Requested
Appl	ication System Requests	
1	MCMS FOR OUTDOOR EQUIPMENT MAINT. SHOP Fleet Management - Add a new location to the existing system	25,000
2	ADDITIONAL FUNDING FOR COMPREH SERVICES ACT Social Services-Administration - \$100,000 funded; more needed - sole source contract approved (Supplemental request - existing account balance = \$100,000)	75,000
3	PRINT & RESERVATION SYSTEM  Libraries - Manage computer lab reservations for community use & new printer facility.	25,860
4	BACKFLOW PREVENTION SYSTEM  Planning And Code Enforcement - Replace existing system to meet new mandates.	4,685
5	CONSULTANT FOR INTEGRATED FINANCIAL SYSTEM  Department Of Technology - Review FAIT Team recommendations and determine alternatives, funding options, multi-year plan for the city. (Supplemental request - existing account balance = \$ 30,000)	100,000
Cust	omer Service & Workforce Support	
1	PC REPLACEMENT PROGRAM - YEAR 3  Department Of Technology - Year 3 of the PC Replacement Program to replace 250 PCs. Since the PC Replacement Program began in March 2001, over 638 PC's have been installed. The first year we sold approximately 150 surplus PC's to employees to increase their technology skills. In the second year, replaced PC's are being distributed to departments where they can utilize less powerful PC's (example: Libraries). We do not anticipate surplus machines this year.	300,000
2	MICROSOFT EXCEL  Department Of Technology - Enterprise licensing - part I of a 2-year initiative to migrate from Lotus 123 to Microsoft Excel spreadsheets.	40,000
3	MISC. PC HARDWARE/SOFTWARE  Department Of Technology - Departmental requests for miscellaneous PC software and hardware needs.	25,000

4	POLICE XEROX Police Administration - Document Center for the new Police building.	5,808
5	HUMAN SERVICES XEROX Social Services - Document Center for Social Services.	8,160
6	PARKS & REC PRINTER/FAX/COPIER FOR 5 SITES Parks And Grounds Maintenance - Document center.	12,500
7	FIRE/EMS XEROX Fire-Administration - Document Center.	14,000
8	FLEET & PUBLIC WORKS XEROX PRINTERS Fleet Management - Document Center - will provide remote printing capability for Fleet Mgmt system.	14,987
e-Gov	<u>vernment</u>	
1	NEW HIRE WORKFLOW  Finance - Automate the new hire process using workflow-based technology; interface with the Job Application system and the Payroll system.	20,000
2	PURCHASING INTERNET MODULE  Purchasing - Augment purchasing functions using web technology - automate generation of RFP, bids, applications, letters, e-mails, etc.,	30,000
Enter	prise Infrastructure	
1	INTERNET ACCESS MANAGEMENT SOFTWARE  Department Of Technology - Software to monitor and track Internet usage & manage access restrictions. Provide management with reports on internet usage.	15,000
2	FIREWALL & VPN (VIRTUAL PRIVATE NETWORK) ACCESS FOR REMOTE USE.  Department Of Technology - Replace existing, out-dated firewall for better management & performance. Expand existing VPN to include libraries and other sites.	17,000
3	SOCIAL SERVICES BUILDING (SEARS BUILDING) Social Services-Administration - The relocation of Social Services to the Sears Building will require additional network infrastructure hardware. This will provide Social Services with access to City networked resources.	140,000

4	UPGRADE MAINFRAME OPERATING SYSTEM  Department Of Technology - Our current MainFrame operating system is nearing the end of it's supported life. To maintain support of our MainFrame based systems we must upgrade the operating system. Also, upgrading the MainFrame will provide an alternative platform to accommodate solutions for integrating the City's financial applications. City Council has recommended a review of these applications and how technology can be used to facilitate the sharing of data within departments.	75,000
5	NEW MAIL SERVER FOR INTERNET MAIL  Department Of Technology - Replace existing Internet Mail server to extend Internet mail to all employees.	25,000
6	REPORT RETRIEVAL AND STORAGE (MAINFRAME)  Department Of Technology - Central Facility to retrieve reports on- line to reduce printed output from Mainframe application systems.	40,000
7	TRAINING FOR NEW TECHNOLOGY INITIATIVES  Department Of Technology - Staff training is required to support the new systems and upgraded systems.	20,000
Futu	re Departmental Requests	
1	INTEGRATED REVENUE & ACCOUNTS RECEIVABLE SYSTEM City Treasurer - Part 2 of a 4-year funding request to replace existing Revenue & Accounts Receivable systems. (Supplemental request - existing account balance = \$ 100,000)	100,000
<u>GIS</u>		
1	ENTERPRISE GIS WAREHOUSE  Department Of Technology - ESRI's ArcSDE and a scalable server will be the foundation the City's enterprise GIS data warehouse management tools.	82,000
2	GIS CENTRAL ADDRESS DATABASE  Department Of Technology - The enterprise address data base will serve as an essential layer of the City's GIS and will enable the creation of a robust GIS application that will be utilized by most City business processes.	75,000
Wirel	ess/Mobile Computing	
1	WIRELESS TECHNOLOGY STUDY  Department Of Technology - A study to research wireless technology and assess potential wireless/mobile application solutions.	25,000
2	MOBILE UNITS FOR FIRE/EMS  Fire-Administration - Develop a mobile application interface for Fire/EMS and start with a pilot using 3 mobile units.	12,500

3	PALM PILOTS FOR FIELD STAFF Planning And Code Enforcement - Inspections & field capture.	
4	MOBILE UNITS FOR CIVIL PROCESS  Sheriff - Develop a mobile application interface for the Sheriff's Office and start with a pilot using 3 mobile units.	12,500



#### THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Department of Technology Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General and Department of Techology Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

#### **General Fund**

#### **Appropriations**

Nondepartmental Transfers to Other Funds (1)	•	70,031,566 69,079,905
Fund Balance		
Reserved for CMERP - City (2)	. \$	3,026,228

#### **Department of Technology**

	•
GIS Study (3)	\$ 832,058
Cost Accounting Replacement Study (4)	139,000
Internet and Intranet (5)	454,000
Information Technology Division (6)	3,617,530
PC Replacement Program (7)	50 <b>3,170</b>
DOT Client/Server Training (8)	70,00 <b>0</b>
CSA Network (9)	175,00 <b>0</b>
Computer Replacement - CMERP (10)	50,00 <b>0</b>
Study Personal Property and Real Estate System (11)	200,00 <b>0</b>
MCMS for Outdoor Equipment (12)	25,00 <b>0</b>
Print and Reservation System (13)	<b>25,860</b>
Backflow Prevention System (14)	4,685
Microsoft Excel (15)	40,000
Internet Access Management Software (16)	15,00 <b>0</b>
Firewall and VPN Access (17)	17,000

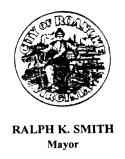
Social Services Building (18) \$ Upgrade Mainframe Operating System (19) \$ New Mail Server for Internet Mail (20) \$ Report Retrieval and Storage (21) \$ Wireless Technology Study (22) \$ Mobile Units for Fire/EMS (23) \$ Palm Pilots for Field Staff (24) \$ Mobile Units for Civil Process (25) \$ Replace Broken Mobile Units (26)			140,000 75,000 25,000 40,000 25,000 12,500 35,000 12,500 25,000
Revenues			
Nonoperating (27)		\$	842,179
Retained Earnings			
Retained Earnings Available for A	Appropriation (28)	\$	746,417
1) Transfer to Department	(004 050 0040 0540)	<b>A</b> 400 000	
of Technology Fund 2) Reserved for CMERP - City	(001-250-9310-9513) (001-3323)	\$ 400,000 (400,000)	
3) Appropriated from	(001 0020)	(100,000)	
General Revenue	(013-052-9804-9003)	157,000	
4) Appropriated from			
General Revenue	(013-052-9841-9003)	100,000	
5) Appropriated from	(013-052-9842-9003)	50,000	
General Revenue 6) Equipment Rental/Lease	(013-430-1601-3070)	50,000 55,455	
7) Appropriated from	(010-400-1001-0010)	33,433	
General Revenue	(013-430-9845-9003)	300,000	
8) Appropriated from	(0.10 100 00 10 0000)	000,000	
General Revenue	(013-430-9850-9003)	20,000	
9) Appropriated from	,		
General Revenue	(013-430-9853-9003)	75,000	
10) Appropriated from			
General Revenue	(013-430-9855-9003)	25,000	
11) Appropriated from	(042, 420, 0065, 0002)	100 000	
General Revenue	(013-430-9865-9003)	100,000	
12) Appropriated from General Revenue	(013-430-9871-9003)	25,000	
13) Appropriated from	(013-430-9071-9003)	23,000	
General Revenue	(013-430-9872-9003)	25,860	
14) Appropriated from	(0.00.000012.0000)	20,000	
General Revenue	(013-430-9873-9003)	4,685	
15) Appropriated from	,	•	
General Revenue	(013-430-9874-9003)	40,000	
16) Appropriated from	(0.10, 100, 00== 0000;	45.000	
General Revenue	(013-430-9875-9003)	15,000	

17)	Appropriated from			
•	• • •	(013-430-9876-9003)	\$	17,000
18)	Appropriated from	•		
	General Revenue	(013-430-9877-9003)		140,000
19)	Appropriated from			
	General Revenue	(013-430-9878-9003)		75,000
20)	Appropriated from			
	General Revenue	(013-430-9879-9003)		25,000
21)	Appropriated from			
	General Revenue	(013-430-9880-9003)		40,000
22)	Appropriated from	(0.4.0.4.0.0.0.4.0.0.0.)		
00)	General Revenue	(013-430-9881-9003)		25,000
23)	Appropriated from	(0.4.0, 4.0.0, 0.0.0, 0.0.0, 0.0.0)		40.500
04\	General Revenue	(013-430-9882-9003)		12,500
24)	Appropriated from	(042, 420, 0002, 0002)		25 000
25)	General Revenue	(013-430-9883-9003)		35,000
23)	Appropriated from General Revenue	(013 430 0884 0003)		12 500
26)	Appropriated from	(013-430-9884-9003)		12,500
20)	General Revenue	(013-430-9885-9003)		25,000
27)	Transfer from	(013-430-3003-3003)		23,000
21)	General Fund	(013-110-1234-1037)		400,000
281	Retained Earnings	(0.10 1.10 1.204 1001)		100,000
_0)	Available for Appropriation	(013-3348)	(1	,000,000)
		(5.5.5.5)	ν.	, , , , , , , , , , , , , , , , , , , ,

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## **CITY OF ROANOKE**

#### CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
William D. Bestpitch
William H. Carder
M. Rupert Cutler
Alfred T. Dowe, Jr.
C. Nelson Harris
Linda F. Wyatt

**September 16, 2002** 

The Honorable Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

We jointly sponsor a request of Joe Maroon, Director, Department of Conservation and Recreation, to present information on specific benefits on park bonds for southwest Virginia, at the regular meeting of City Council on Monday, September 16, 2002, at 2:00 p.m.

Sincerely,

William D. Bestpitch

Willow D. Bespital

Council Member

M. Rupert Cutler Council Member

WDB:MRC:sm

pc: Darlene L. Burcham, City Manager

N:\CKSM1\AGENDA.02\COUNCIL FORM LETTER FOR AGENDA ITEMS.DOC



#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION endorsing the proposed issuance of general obligation bonds of the Commonwealth of Virginia relating to parks and recreational facilities, which will be considered by the electorate in a statewide referendum to be held on November 5, 2002, and encouraging the citizens of the Commonwealth to support this bond referendum.

WHEREAS, on November 5, 2002, Virginia voters will have an opportunity to approve a \$119,040,000 general obligation bond referendum for State parks and recreational facilities; and

WHEREAS, State park visitation has nearly doubled over the past decade – from 3.8 million visitors in 1991 to 7 million in 2001, over forty percent of whom are from out of State, enhancing Virginia's tourism, its second largest industry; and

WHEREAS, voter approval of the bond referendum would improve cabins, campgrounds, facilities, visitor centers, road and trail improvements, shoreline erosion repairs, and other infrastructure, and finance the purchase of land for three new parks, additional land for eleven existing parks, and ten new natural preserves; and

WHEREAS, Virginia's park system was named the best-run system in America in 2001, despite ranking 50<sup>th</sup> in terms of percentage of State budget spent on parks and 49<sup>th</sup> in per capita expenditures on State parks; and

WHEREAS, the planned park and natural area protections and enhancements will serve to protect land, water and wildlife for generations of Virginians yet to come.

NOW, THEREFORE, BE IT RESOLVED that the Roanoke City Council endorses the passage of the Parks and Recreational Facilities bond referendum and further encourages the citizens of the Commonwealth to support this referendum on the November 5, 2002, ballot.

ATTEST:

City Clerk.

#### IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION endorsing the proposed issuance of general obligation bonds of the Commonwealth of Virginia relating to higher education and museum facilities, which will be considered by the electorate in a statewide referendum be held on November 5, 2002, and encouraging the citizens of the Commonwealth to support this bond referendum.

WHEREAS, on November 5, 2002, Virginia voters will have an opportunity to approve a \$900,488,645 general obligation bond referendum for higher education and museum facilities; and

WHEREAS, the future of Virginia rests in the quality of our schools, and these bonds will pay for needed upgrades, renovations, modernizations, and new construction in our schools, museums and historical sites; and

WHEREAS, over the next decade, an additional 32,000 qualified high school graduates are expected to enroll at our colleges, universities and community colleges, on top of the 325,000 students these institutions now serve; and

WHEREAS, the Educational Facilities general obligation bond issue includes crucial funding to build laboratories for medical research and to modernize laboratory classrooms that are used to train health care workers; and

WHEREAS, by providing funds for research laboratories and teaching facilities, the bond referendum will help Virginians have access to well-trained health care professionals and new, cutting edge treatments – and this means better health care for the citizens of Virginia; and

WHEREAS, State-owned museums are valuable assets for partnering with schools to

accomplish the Standards of Learning, for enhancing the economy through tourism and new

business development, and for improving the quality of life for all Virginians; and

WHEREAS, State-owned museums are stewards of Virginia's artistic, historical and

scientific heritage. They are not only interested in the past; they serve as catalysts for future

scholarship, innovation and creativity; and

WHEREAS, Virginians can enhance opportunities for future generations by supporting

the Educational Facilities bond referendum that would finance capital improvement for

universities, colleges and museums; and

WHEREAS, voter support of this referendum would result in significant improvements to

the state's educational facilities and museums, without a tax increase, as well as create jobs in

corresponding communities.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Roanoke

endorses the passage of the Educational Facilities bond referendum and further encourages the

citizens of the Commonwealth to support this referendum on the November 5, 2002, ballot.

ATTEST:

City Clerk.